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HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

28° VICTORIÆ, 1865.

VOL. CLXXIX.

COMPRISING THE PERIOD FROM

THE NINTH DAY OF MAY 1865,

TO

THE NINTH DAY OF JUNE 1865.

Third Volume of the Session.

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VOLUME CLXXIX.

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SUPPLY—Civil Service Estimates—*considered* in Committee—

Class II.—Salaries and Expenses of Public Departments.

The following Sums "to complete" the Votes for the several Services mentioned:—

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(2.) £49,930, for Holyhead and Portpatrick Harbours, &c.—Vote *agreed to* 595
(3.) £70,677, Public Buildings in Ireland.—Vote *agreed to* 595
(4.) £3,000, New Record Buildings, Dublin.—Vote *agreed to* 595
(5.) £813, National Gallery of Ireland.—Vote *agreed to.*
(6.) £19,474, Lighthouses abroad.—After short debate, Vote *agreed to.*
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(14.) £23,658, Colonial Department.—Vote *agreed to.*
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Roman Catholic Oath Bill [Bill 86]—

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Army—Roman Catholic Recruits—Question, Mr. O'Reilly; Answer, The Marquess of Hartington 639

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Army—The Military Train—Question, Mr. Rogers; Answer, The Marquess of Hartington 641

Navy—Recruits for the Marines—Question, Mr. Corry; Answer, Lord Clarence Paget 641

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Union Chargeability Bill [Bill 155]—

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Amendment proposed (Certain Expenses to be repaid to Unions, &c., from Monies to be provided by Parliament,)—(*Mr. Knight.*)

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SUPPLY—Civil Service Estimates—*considered* in Committee—

Class II.—Salaries and Expenses of Public Departments.

(1.) £1,938, to complete the sum for Privy Seal.
(2.) £5,874, to complete the sum for Civil Service Commission.
(3.) £14,391, to complete the sum for Paymaster General's Office.
(4.) £3,048, to complete the sum for Controller General of the Exchequer.
Motion, "£24,148, Salaries and Expenses of the Office of Commissioners of Her Majesty's Works and Public Buildings."
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Inland Revenue Acts—*considered* in Committee.

Resolutions (Stamp Duties—Fire Insurance) proposed by *The Chancellor of the Exchequer*, and, after debate, *agreed to* 711

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Shannon River—Select Committee—

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After debate, on Question *agreed to*; Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Case of Catherine Gaughan—Observations, The Marquess of Westmeath .. 723

Imprisonment of British Subjects in Abyssinia—

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ROMAN CATHOLIC OATH BILL—Question, Mr. Waldegrave-Leslie; Answer, Sir George Grey: Observations thereon 741

ARMY—CASE OF LIEUTENANT COLONEL DAWKINS—Question, Mr. Darby Griffith; Answer, Viscount Palmerston 744

LEEDS COURT OF BANKRUPTCY AND THE HON. R. BETHELL—Observations, Viscount Palmerston.

Motion *agreed to*:—House at rising to adjourn till *Thursday*.

Roman Catholic Oath Bill [Bill 86]—

Adjourned Debate on going into Committee [19th May] *further adjourned* till *Tuesday* next, at Twelve of the Clock.

PAPER TRADE—Motion made, and Question proposed,

"That the position in which the British Paper Trade has been placed by the abolition of the Import Duty on Foreign Paper, leaving the Foreign Export Duty on Rags in full operation, is one of great hardship to the British Manufacturer, and calls for prompt legislative interference, with the view of placing the Home Manufacturer on terms of fair and equitable competition with Continental Manufacturers,"—(*Mr. Maguire*) ... 745

After long debate, Question put:—Ayes 95, Noes 140; Majority 45.

ESTABLISHED CHURCH SERVICE—THE REV. A. D. WAGNER—

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire and report to this House as to the mode in which the service of the Established Church is administered at the church of St. Paul's, Brighton, of which the Reverend A. D. Wagner is perpetual curate, and especially as to that part of the service of the said church called Sacramental Confession, as referred to by the said Reverend A. D. Wagner in recent proceedings before the magistrates at Trowbridge, Wiltshire, against Constance E. Kent; and, generally, to inquire into the like practices in other churches by clergymen of the Established Church,"—(*Mr. Whalley*) 767

After debate, Question put, and *negatived*.

CHURCH OF ENGLAND (USAGES, &c.)—

On Motion of *Mr. Whalley*, after short debate,

Resolved, That this House will immediately resolve itself into a Committee to consider of the means of enforcing the Law as to illegal usages and ornaments in the Church of England, and especially in respect of the practice of Auricular confession,—(*Mr. Whalley*) 774

Motion made, and Question, "That Mr. Speaker do now leave the Chair," put, and *negatived*.

LEEDS COURT OF BANKRUPTCY—Motion made, and Question proposed,

That a Select Committee be *appointed*, "to inquire into all the circumstances connected with the resignation of Mr. Henry Sedgwick Wilde as Registrar of the Court of Bankruptcy at Leeds; the granting him a pension; the appointment of Mr. Welch to the said office; and whether he was to resign his appointment in favour of the Honourable Richard Bethell and receive another appointment in London,"—(*Mr. Ferrand*) ... 775

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Certificates of Marriage, &c., Duties Repeal Bill—(*Sir James Fergusson*)—*ordered* 786

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Libel Bill [Bill 33]—

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THE CASE OF MR. ST. JOHN—Question Mr. Monsell; Answer, Mr. Peel .. 788

IRELAND—THE POLICE IN TIPPERARY—Question, Mr. Lanigan; Answer Sir Robert Peel 788

Navy — The "Bellerophon" — Question, Mr. Torrens; Answer, Lord Clarence Paget 789

Union Chargeability Bill [Bill 155]—
After long debate, Bill read 3°, and *passed* 789

Bank Notes Issue Bill [Bill 123]—
Order for Third Reading read;—on Motion of the *Chancellor of the Exchequer*, after long debate, Order for Third Reading read and discharged.
Motion made, and Question proposed, "That the Bill be re-committed in respect of Clause 8 and the Preamble,"—(*The Chancellor of the Exchequer*) 800
Amendment proposed, to leave out the words "in respect of Clause 8 and the Preamble,"—(*Mr. Hadfield.*)
Question, "That the words proposed to be left out stand part of the Question," put and *agreed to*:—Main Question put, and *agreed to.*
Ordered, That the Bill be re-committed in respect of Clause 8 and the Preamble.
Bill *considered* in Committee and *reported*; as amended, *considered;* to be read 3° on *Thursday* next.

Fire Brigade (Metropolis) Bill [Bill 153]—
Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Mr. T. G. Baring*) 828
After debate, Question put, and *agreed to*:—Bill read 2°, and *committed* for *Thursday* next.

Record of Title (Ireland) Bill (*Lords*) [Bill 151]—
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After long debate, Question put, and *agreed to*:—Bill read 2°, and *committed* for *Thursday* next.

County Courts Equitable Jurisdiction Bill (*Lords*) [Bill 150]—
Motion, "That the Bill be now read the second time," 855
After debate, Motion *agreed to*:—Bill read 2°, and *committed* for *Thursday* 8th June.

Dogs Regulation Ireland Bill [Bill 127]—
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Wick and Ayr Burghs Election Bill—(*Mr Edward Craufurd*)—*ordered;* read 1° [Bill 166] 860

London Brokers Bill—(*Mr. Moffatt*)—*ordered;* read 1° [Bill 167] 860

LORDS, FRIDAY, MAY 26.

St. Titus Church, Liverpool—Petition *presented* by The Earl of Derby; Observations thereon 860

Imperial Gas Bill—
Moved, That the Bill be now read 2ª,—(*The Chairman of Committees*) .. 862
Amendment *moved* to leave out ("now") and insert ("this Day Six Months,")—(*The Lord Ravensworth.*)
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Moved, That the Bill be now read 2ª,—(*The Earl of Hardwicke*) .. 867
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Clerical Subscription Bill (No. 111)—
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PRIVATE BUSINESS—Observations, Lord Redesdale 873

COMMONS, FRIDAY, MAY 26.

RAILWAY BILLS—(GROUP 8)—
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After short debate, Motion *withdrawn.*

SCHOOL REPORTS (IRELAND)—Question, Mr. O'Reilly; Answer, Sir Robert Peel 875

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NEW MUSEUM OF NATURAL HISTORY — Question, Mr. Doulton; Answer, The Chancellor of the Exchequer 876

ACCIDENTS BY GUNPOWDER — Question, Mr. A. F. Egerton; Answer, Mr. T. G. Baring 877

THE SLAVE TRADE—Question, Mr. Baxter; Answer, Viscount Palmerston .. 877

MASTERS OF THE ROYAL NAVY—Question, Mr. Corry; Answer, Lord C. Paget 878

AFFAIRS OF NEW ZEALAND—Question, Mr. A. Mills; Answer, Mr. Cardwell .. 879

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

ARMY—CASE OF LIEUTENANT COLONEL DAWKINS — Amendment proposed—
To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of all Correspondence relating to the first Court of Inquiry on Lieutenant Colonel Dawkins in or about July 1864, including all Communications which have been made on the subject, from the Field Marshal Commanding in Chief to the Major General commanding the Brigade of Guards, during the interval between the first and second Courts of Inquiry which have been held on Lieutenant Colonel Dawkins, and up to the present time,"—(*Mr. Darby Griffith,*)—instead thereof 879
Question proposed, "That the words proposed to be left out stand part of the Question."
After long debate, Question put, and *agreed to.*

PROTECTION OF THE COLONIES — Observations, Mr. Marsh; Answer, Mr. Cardwell:—Debate thereon 905

POOR FISHERMEN (IRELAND)—Question, Mr. Blake; Answer, Mr. Peel .. 914

PIERS AND HARBOURS (SCOTLAND) — Question, Mr. R. W. Duff; Answer, Mr. Peel 915

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NAVY ESTIMATES.

(1.) £527,985, New Works, &c., Naval Establishments 921
After long debate, Vote *agreed to.*

CIVIL SERVICE ESTIMATES.

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

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Dockyard Extensions Bill [Bill 145]—

Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" 948

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the expense of the Contracts for Dockyard Extensions to be authorized by this Bill would best be defrayed by Terminable Annuities, as in the case of the Fortifications under the Act 26 and 27 Vic. cap. 80," — (*Sir James Elphinstone,*)—instead thereof

Question proposed, "That the words proposed to be left out stand part of the Question."

After debate, Question put, and *agreed to*:—Main Question put, and *agreed to*:—Bill *considered* in Committee, and *reported* 948

Lunatic Asylums (Ireland) Bill—(*Mr. Blake*)—*ordered;* read 1° [Bill 171] ... 952

Militia Ballots Suspension Bill—(*The Marquess of Hartington*)—*ordered;* read 1° 952

Defence Act (1860) Amendment Bill — (*The Marquess of Hartington*) — *ordered;* read 1° [Bill 176] 952

Militia Pay Bill—*presented,* and read 1° 952

LORDS, MONDAY, MAY 29.

Companies Workmen's Education Bill (No. 121)—

Amendments *reported* (according to order) 953

Moved, to omit Clause 1, and insert another Clause in lieu thereof (*The Lord President*) 953

On Question, That Clause 1 stand Part of the Bill? their Lordships *divided:* —An Amendment made; Bill to be read 3ª *To-morrow*:—Contents 53, Not-Contents 38; Majority 15:—Amendment *negatived.*

Division List, Contents and Not-Contents 956

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Clerical Subscription Bill (No. 132)—

Moved, "That the House do now resolve itself into a Committee" (*The Lord President*) 959

Amendment *moved* (*The Archbishop of Dublin*) 962

After long debate, Amendment *withdrawn.*

House in Committee accordingly.

COMMONS, MONDAY, MAY 29.

MIDDLESEX INDUSTRIAL SCHOOLS BILL—

Order [11th May] that the Report from the Select Committee on the Middlesex Industrial Schools Bill do lie upon the Table read.

Motion made, and Question proposed, "That the said Order be discharged," —(*Mr. Doulton,*)—Question put, and *negatived.* 975

CAPE COLONY—THE KAFFIRS—Question, Mr. Warner; Answer, Mr. Cardwell.. 976

BRITISH NORTH AMERICA—THE RED RIVER TERRITORY—Question, Sir Edward Grogan; Answer, Mr. Cardwell 976

ST. GEORGE'S-IN-THE-EAST—Explanation, Mr. Staniland 977

Constabulary Force (Ireland) Act Amendment Bill [Bill 122]—

Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" 978

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "The Bill be committed to a Select Committee" (*Mr. William Ormsby Gore*)—instead thereof.

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Constabulary Force (Ireland) Act Amendment Bill—*continued.*
Question proposed, "That the words proposed to be left out stand part of the Question."
After debate, Amendment, by leave, *withdrawn.*
Main Question put, and *agreed to*
Bill *considered* in Committee
After long debate, Bill *reported* [Bill 178].

Greenwich Hospital Bill [Bill 113]—
Motion made, and Question proposed, "That the Bill be now read a second time"—(*Lord Clarence Paget*) 996
After long debate, Motion *agreed to:*—Bill read 2°, and *committed:*—
Bill *considered* in Committee and *reported* [Bill 179]; *re-committed* for *Thursday,* 8th June.

Colonial Governors (Retiring Pensions) Bill [Bill 133]—
Motion made, and Question proposed, "That the Bill be now read a second time" 1019
After long debate, Question put, and *agreed to*:—Bill read 2°, and *committed* for *Thursday.*

SUPPLY—Resolutions [May 26] *reported.*
Roman Catholic Oath Bill—Observations, Sir John Pakington; Reply, Mr. Monsell 1035
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Army—Case of Lieutenant Colonel Dawkins—Explanation, Mr. Darby Griffith 1041
Navy and Marines (Wills) Bill—(*Lord Clarence Paget*)—*ordered;* read 1° [Bill 180] ... 1041
Navy and Marines (Property of Deceased) Bill—(*Lord Clarence Paget*)—*ordered;* read 1° [Bill 181] 1042
Naval and Marine Pay and Pensions Bill—(*Lord Clarence Paget*)—*ordered;* read 1° [Bill 182] 1042
Colonial Marriages Validity Bill—(*Mr. Chichester Fortescue*)—*ordered;* read 1° [Bill 183] 1042
Colonial Laws Validity Bill—(*Mr. Chichester Fortescue*)—*ordered;* read 1° [Bill 184]... 1042
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Considered in Committee; Bill *ordered;* read 1° [Bill 85] 1042

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Imprisonment of British Subjects in Abyssinia—Question, Lord Chelmsford; Answer, Earl Russell 1043
Dogs Regulation (Ireland) (No. 127)—
After short debate, Bill read 2ª, and *committed* to a Committee of the Whole House on *Friday* next 1044
Companies Workmen's Education Bill (No. 131)—
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COMMONS, TUESDAY, MAY 30.

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Roman Catholic Oath Bill [Bill 86]—

Question again proposed, "That Mr. Speaker do now leave the Chair." Debate [19th May] *resumed* 1051

Amendment proposed,

To leave out from the word "That" to the end of the question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Newdegate,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

After long debate, Question put:—The House *divided;* Ayes 193, Noes 126; Majority 67:—Main Question put, and *agreed to.*

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Ireland—Mail Service—Question, Mr. Dawson; Answer, Mr. Peel .. 1099

Colonial Bishops—See of Rupert's Land—Question, Mr. Grant Duff; Answer, Mr. Cardwell 1100

The Foreign Office—Audit—Question, Mr. W. Ewart; Answer, Mr. Layard 1100

Pollution of Rivers—Question, Lord Robert Montagu; Answer, Sir George Grey 1101

Police—Houses of Parliament—Question, Lord Robert Montagu; Answer, Mr. T. G. Baring 1102

British Guiana—Coolies—Question, Mr. Kinnaird; Answer, Mr. Cardwell 1103

New Zealand — Separation of Provinces — Question, Lord Robert Cecil; Answer, Mr. Cardwell 1104

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Adjournment of the House—Motion made, and Question proposed, "That the House at its rising to adjourn till *Thursday* next,"—(*Viscount Palmerston.*)

Colonial Defences—Question, Mr. Warner; Answer, Mr. Cardwell .. 1105

United States—The "Alabama"—Question, Mr. Shaw Lefevre; Answer, Viscount Palmerston 1107

Motion *agreed to:*—House at its rising do adjourn till *Thursday.*

Bankruptcy Act (1861)—Resolution.

Motion made, and Question proposed,

That in the opinion of this House, the Report of the Select Committee on the Bankruptcy Act of 1861 deserves the prompt and serious consideration of Her Majesty's Government,—(*Mr. Moffatt*) 1109

After debate, Motion *agreed to.*

Lunacy Law—Observations, Mr. Neate 1114

[House counted out.]

LORDS, THURSDAY, JUNE 1.

Metropolitan Sewage and Essex Reclamation Bill—

After short debate, Bill read 3ª and *passed,* and sent to the Commons .. 1115

Public House Closing Act (1864) Amendment Bill (No. 126)—

After short debate, Bill read 2ª, and *committed* to a Committee of the Whole House on *Tuesday* the 13th *Instant* 1116

Clerical Subscription Bill (No. 138)—

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COMMONS, THURSDAY, JUNE 1.

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INDIA—WAR IN BHOOTAN—Question, Sir Minto Farquhar; Answer, Sir C. Wood 1120

INDIA—MORTALITY IN THE ROYAL ARTILLERY ON THE MARCH FROM MHOW TO KIRKEE—Question, Sir Minto Farquhar; Answer, Sir Charles Wood .. 1120

IRELAND — CIRCULATION OF LOTTERY TICKETS — Question, Mr. Newdegate; Answer, The Attorney General 1121

PIERS AND HARBOURS—Question, Mr. Waldegrave-Leslie; Answer, Mr. Milner Gibson 1122

REVISION OF THE LITURGY—Question, Mr. Shaw Lefevre; Answer, Sir George Grey 1122

Bank Notes Issue Bill [Bill 123]—

Order for Third Reading *discharged*:—Bill *withdrawn* 1123

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

DRAINAGE AND IMPROVEMENT OF LANDED PROPERTY (SCOTLAND)—Observations, Mr. Waldegrave-Leslie; Reply, Sir George Grey 1124

LIGHTHOUSE ON THE BASSES ROCKS, CEYLON—Question, Mr. Baillie Cochrane; Answer, Mr. Milner Gibson 1130

Motion *agreed to*.

SUPPLY—CIVIL SERVICE ESTIMATES—*considered* in Committee.

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

The following Votes "to complete" the sums for the several Services mentioned:—

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(1.) £16,006, Public Record Office.
(2.) £217,392, Poor Law Commissioners.
(3.) £35,075, Mint, including Coinage.
(4.) £26,826, Inspectors of Factories, Fisheries, &c.
(5.) £4,210, Exchequer and other Offices in Scotland.
(6.) £4,413, Household of Lord Lieutenant, Ireland.
(7.) £11,609, Chief Secretary, Ireland, Offices.
(8.) £3,007, Inspection, &c. of Lunatic Asylums, Ireland.
(9.) £16,861, Office of Public Works, Ireland.
(10.) £27,559, Audit Office.
(11.) £14,187, Copyhold, Tithe, and Inclosure Commission.
(12.) £9,290, Inclosure and Drainage Acts; Imprest Expenses.
(13.) £48,493, General Register Offices, England, Ireland, and Scotland.
(14.) £11,510, National Debt Office
(15.) £2,785, Public Works Loan Commission and West India Relief Commission. —After short debate, Vote *agreed to* ... 1136
(16.) £7,635, Lunacy Commissions.—After short debate, Vote *agreed to* 1136
(17.) £1,223, Superintendent of Roads, South Wales.—After short debate, Vote *agreed to* 1137
(18.) £1,324, Registrars of Friendly Societies. — After short debate, Vote *agreed to* 1137
(19.) £13,915, Charity Commission.
(20.) Local Government Act Office and Inspection of Burial Grounds.
(21.) £1,350, Landed Estates Record Offices.
(22.) £446, Quarantine Expenses.
(23.) £24,000, Secret Service.—After short debate, Vote *agreed to* 1138
(24.) £265,410, Printing and Stationery.—After debate, Vote *agreed to* 1140
(25.) £114,535, Postage of Public Departments.
(26.) £23,296, Law Charges, England.
(27.) £128,033, Criminal Prosecutions, &c.
(28.) £183,100, Police, Counties and Boroughs, Great Britain.
(29.) £2,120, Crown Office, Queen's Bench.
(30.) £9,325, Admiralty Court Registry.
(31.) £2,296, Late Insolvent Debtors' Court.
(32.) £64,000, Probate Court.—After short debate, Vote *agreed to* 1147
(33.) £119,701, County Courts. — After short debate, Vote *agreed to* 1148
(34.) £3,030, Land Registry Office.
(35.) £15,993, Police Courts (Metropolis.)
(36.) £115,166, Metropolitan Police.
(37.) £18,002, Revising Barristers, England and Wales.
(38.) £686, Divorce Court Compensations.
(39.) £116,772, Bankruptcy Court Compensations.
(40.) £2,577, Lord Advocate and Solicitor General, Salaries.
(41.) £13,331, Court of Session.

SUPPLY—CIVIL SERVICE ESTMATES—*continued.*

Page

(42.) £7,816, Court of Justiciary.

(43.) £4,100, Prosecutions under the Lord Advocate.

(44.) £630, Exchequer, Scotland, Legal Branch.

(45.) £31,231, Sheriffs and Procurators Fiscal not paid by Salaries, and Expenses of Prosecutions in Sheriff Courts.

(46.) £18,842, Procurators Fiscal, Salaries.

(47.) £10,777, Sheriff Clerks.

(48.) £3,000, Expenses in matters of Tithes.

(49.) £13,254, Register House, Edinburgh, Salaries and Expenses of Sundry Departments.

(50.) £1,295, Commissary Clerk's Office.

(51.) £1,529, Accountant in Bankruptcy.—Vote *agreed to.*

(52.) £53,637, Law Charges and Criminal Prosecutions (Ireland.)—After short debate, Vote *agreed to.* 1150

(53.) £3,793, Court of Chancery (Ireland.)

(54.) £9,742, Courts of Queen's Bench, Common Pleas, and Exchequer (Ireland.)

(55.) £4,407, Officers of the Judges on Circuit.

(56.) £1,403, Manor Courts Compensations.

(57.) £2,163, Registry of Judgments.

(58.) £16,416, Registry of Deeds.

(59.) £100, High Court of Delegates.

(60.) £4,599, Court of Bankruptcy and Insolvency.

(61.) £7,633, Court of Probate.

(62.) £8,768, Landed Estates Court.—After short debate, Vote *agreed to* ... 1150

(63.) £5,500, Process Servers, Civil Bill Courts.

(64.) £420, Revising Barristers, Dublin.

(65.) £40,500, Dublin Metropolitan Police and Police Justices.

(66.) £525,680, Constabulary of Ireland.

(67.) Four Courts Marshalsea Prison.

(68.) £13,999, Inspection and General Superintendence of Prisons. — Vote *agreed to.*

(69.) £290,887, Prisons and Convict Establishments at Home.

(70.) £198,905, Maintenance of Prisoners in County Gaols, &c., and Removal of Convicts.

(71.) £10,258, Transportation of Convicts.

(72.) £159,059, Convict Establishments in the Colonies.

(73.) £518,078, Public Education (Great Britain.) — After long debate, Vote *agreed to* 1153

£116,841, General Management of the Department of Science and Art, and of the Establishments connected therewith 1163

After long debate, Motion, "That the Item of £36,500, for Schools of Science and Art, be reduced by the amount of £1,000 (Salaries of Masters :)"—(*Mr. Edmund Potter:*)—A. 16, N. 80 ; M. 64.

Original Question again proposed 1179

Motion, "That the Item of £10,000, for the Purchase of Specimens, Ancient and Modern, be omitted from the proposed Vote :"—(*Mr. Dillwyn :*)—A. 24, N. 81 ; M. 57.

Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow.*

Record of Title (Ireland) Bill (*Lords*) [Bill 151]—

After debate, Bill *considered* in Committee :—Committee report Progress .. 1181

Courts of Justice Building Bill [Bill 172]—

Lords' Amendment *considered;* and, after debate, *disagreed to* .. 1183

Courts of Justice Concentration (Site) Bill [Bill 173]—

Lords' Amendment *considered;* and, after debate, *agreed to,* with an Amendment 1184

LORDS, FRIDAY, JUNE 2.

CASE OF CATHERINE GAUGHAN—Question, The Earl of Bandon; Answer, Earl Granville 1186

General Post Office (Additional Site) Bill (No. 124)—

After short debate, Bill read 2ª 1186

COMMONS, FRIDAY, JUNE 2.

Writs Registration (Scotland) Bill [*The Lord Advocate*] [Bill 41]—

Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" 1188

Writs Registration (Scotland) Bill—*continued*

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Dunlop,*)—instead thereof ;—

Question proposed, "That the words proposed to be left out stand part of the Question :"—After long debate, Debate adjourned till *To-morrow.*

The Canadian Delegates—Question, Mr. Warner ; Answer, Mr. Cardwell .. 1209

China — Dismissal of Prince Kung — Question, Colonel Sykes ; Answer, Mr. Layard 1209

Adjournment of the House—

Moved, That this House at its rising will adjourn till Thursday next.—(*Viscount Palmerston.*)

University of London—Observations, Mr. Grant Duff ; Reply, Mr. Cowper 1209

Army — Ordnance Select Committee — Observations, Mr. H. Baillie :—Debate thereon 1216

Army—Military Chaplains in New Zealand—Question, Colonel Herbert ; Answer, The Marquess of Hartington :—Debate thereon 1224

Motion *agreed to :*—House at rising to adjourn till *Thursday* next.

Azeem Jah (Signatures to Petitions) Committee—

Report of Select Committee *considered ;*—

After long debate *resolved,*

"That George Morris Mitchell, having fabricated signatures to several Petitions presented to this House, and having knowingly procured other fabricated signatures to such Petitions, has been guilty of Contempt and a Breach of the Privileges of this House,"—(*Mr. Charles Forster*) 1230

Motion *agreed to.*

Motion, "That George Morris Mitchell be, for his said offence, committed to Her Majesty's Gaol of Newgate ; and that Mr. Speaker do issue his Warrants accordingly."

After long debate, Question put :—A. 41, N. 7 ; M. 34.

Motion, "That Powell Marshall and Henry Whitehead, having, in consort with George Morris Mitchell, fabricated signatures to several Petitions presented to this House, have been guilty of Contempt and a Breach of the Privileges of this House,"—(*Mr. Charles Forster*) 1246

After long debate, Question put :—A. 39, N. 5 ; M. 34.

Ordered, That the said Powell Marshall and Henry Whitehead be, for their said offence, severally committed to the custody of the Serjeant at Arms attending this House ; and that Mr. Speaker do issue his Warrants accordingly,—(*Mr. Charles Forster.*)

SUPPLY—Civil Service Estimates—*considered* in Committee.

Class IV.—Education, Science, and Art.

The following Sums "to complete" the Votes for the several Services mentioned :—

Page

(1.) £235,583, Public Education, Ireland. —After long debate, Vote *agreed to* .. 1248
(2.) £730, Commissioners of Education (Office Expenses), Ireland.
(3.) £6,773, University of London.
(4.) £14,485, Universities, &c. in Scotland.
(5.) £2,372, Queen's University in Ireland.
(6.) £3,150, Queen's Colleges, Ireland.
(7.) £700, Royal Irish Academy.
(8.) £3,400, National Gallery of Ireland.
(9.) £1,500, Belfast Theological Professors, &c.

Question proposed, £13,336, National Gallery, including the purchase of Pictures.

Committee report Progress.

Supply—Resolutions [June 1] *reported* 1259

After short debate, Resolutions *agreed to.*

Sugar Duties and Drawbacks—

Resolutions [June 1] *reported,* and *agreed to :*—Bill *ordered ;* read 1° [Bill 198] ... 1261

Lunatic Asylum Act (1853), &c. Amendment Bill — (*Mr. Scourfield*) — *ordered;* read 1° [Bill 196] 1261
Poor Law Board Continuance, &c. Bill—(*Mr. Villiers*)—*ordered;* read 1° [Bill 197] 1261

COMMONS, THURSDAY, JUNE 8.

Roach River Fishery Bill (*Lords*) (*by Order*)—
After debate, Bill read 2°, and *committed* 1262

Middlesex Industrial Schools Bill—Consideration 1263
Motion, by leave, *withdrawn.*

Azeem Jah (Signatures to Petitions) —
The Serjeant at Arms *reported* he had on Friday last taken into his custody Powell Marshall and Henry Whitehead, but that he had not yet succeeded in apprehending Gorge Morris Mitchell 1266
Petitions from the said Powell Marshall and Henry Whitehead, expressing their regret and contrition for their offence, and praying for their discharge, *brought up,* and read. After debate,
Ordered, That the said Powell Marshall and Henry Whitehead, having expressed their regret and contrition for their offence, be discharged out of the custody of the Serjeant at Arms, without payment of their Fees.

Lotteries — Public Departments — Question, Mr. Verner; Answer, The Chancellor of the Exchequer 1268
Court of Chancery (Ireland)—Question, Mr. Scully; Answer, Mr. Peel .. 1269
Convocation—Alteration of the Canons—Question, Mr. Whiteside; Answer, Sir George Grey 1269
Princess of Wales—Address of Congratulation to Her Majesty .. 1270

SUPPLY—Civil Service Estimates—*considered* in Committee.

Class IV.—Education, Science, and Art.

Page
(1.) £13,336, Expenses of the National Gallery, including the purchase of Pictures.—After long debate, Question put, and *agreed to* 1271
(2.) £1,650, British Historical Portrait Gallery. — After short debate, Vote *agreed to* 1276
(3.) £4,059, Magnetic and Meteorological Observations.—After short debate, Vote *agreed to* 1276
(4.) £5,000, Universal Exhibition at Paris.
(5.) £500, Royal Geographical Society.
(6.) £1,000, Royal Society.
(7.) £500, Royal Academy of Music.—After short debate, Vote *agreed to* .. 1280

Class V.—Colonial, Consular, and other Foreign Services.

The following Votes "to complete" the sums for the several Services mentioned:—

Page
(8.) £4,200, Bermudas.—After short debate, Vote *agreed to.*
(9.) £2,813, Clergy, North America.
(10.) £1,000, Indian Department, Canada.
(11.) £23,278, Governors and others, West Indies, &c.
(12.) £6,200, Justices, West Indies.
(13.) £6,730, Western Coast of Africa.
(14.) £2,924, St. Helena.
(15.) £700, Orange River Territory.
(16.) £1,104, Heligoland.
(17.) £3,488, Falkland Islands.
(18.) £2,641, Labuan.—After short debate, Vote *agreed to* 1281
(19.) £300, Pitcairn's Islanders.
(20.) £10,531, Emigration.
(21.) £1,657, Zambesi Expedition.
(22.) £3,000, Treasury Chest.
(23.) £35,000, Captured Negroes, Bounties on Slaves, &c.—After short debate, Vote *agreed to* 1281
(24.) £7,650, Commissions for Suppression of Slave Trade.
(25.) £91,018, Consular Establishments Abroad 1282
Motion, "That the item of £750, for the Salary of Her Majesty's Consul at St. Petersburg, be omitted from the proposed Vote.—(*Mr. Clay.*)—After short debate, Question put: A. 20, N. 50; M. 30.—After further debate, Original Question put, and *agreed to.*
(26.) £102,972, Consular Establishments, China, Japan, and Siam.—After short debate, Vote *agreed to* 1292
(27.) £32,400, Ministers at Foreign Courts, Extraordinary Expenses. — After short debate, Vote *agreed to.*
(28.) £19,000, Special Missions, Outfits, &c. —After short debate, Vote *agreed to* .. 1294
(29.) £4,500, Third Secretaries of Embassies.

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CLASS VI. — SUPERANNUATIONS AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES.

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(30.) £119,382, Superannuation Allowances and Compensations 1296

Motion, "That the Item of £400, for Retiring Allowance to Martin T. Hood, late Consul at Buenos Ayres, be omitted from the proposed Vote."—(*Mr. Augustus Smith.*)—After short debate, A. 13, N. 28; M. 15.

Original Question put, and *agreed to.*

(31.) £661, for Toulonese and Corsican Emigrants, &c., and American Royalists.

(32.) £325, for the Refuge for the Destitute.

(33.) £1,789, Polish Refugees and Distressed Spaniards.

(34.) £54,200, for Merchant Seamen's Fund Pensions.

(35.) £21,400, Relief of Distressed British Seamen.

(36.) £2,780, Miscellaneous Charges, formerly on Civil List.

(37.) £2,272, for Public Infirmaries, Ireland.

(38.) £1,600, Westmoreland Lock Hospital.

(39.) £700, for the Rotunda Lying-in Hospital.

(40.) £200, for the Coombe Lying-in Hospital.

(41.) £5,600, House of Industry Hospitals.

(42.) £1,500, Cork Street Fever Hospital.

(43.) £600, for the Meath Hospital.

(44.) £100, for St. Mark's Opthalmic Hospital.

(45.) £300, Dr. Steevens's Hospital.

(46.) £245, for the Board of Superintendence of Dublin Hospitals.

(47.) £7,644, Concordatum Fund and other Charities and Allowances, Ireland.

(48.) £25,809, Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland 1299

Motion, "That a sum, not exceeding £25,509, &c. —(*Sir Francis Crossley.*) After debate, Question put:—A. 14, N. 51; M. 37.

Original Question put, and *agreed to.*

CLASS VII.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS.

Page

(49.) £3,750, for Ecclesiastical Commissioners.

(50.) £27,702, Temporary Commissions.

(51.) £25,003, Patent Law Expenses.

(52.) £11,427, Fishery Board, Scotland.—After short debate, Vote *agreed to* .. 1305

(53.) £2,000, for Trustees of Manufacturers, Scotland.

(54.) £39,532, Local Dues on Shipping under Treaties of Reciprocity.

(55.) £1,900, Inspectors of Corn Returns.

(56.) £500, for Boundary Survey, Ireland.

(57.) £500, for Brehon Laws, Ireland.—After short debate, Vote *agreed to* .. 1308

(58.) £5,000, Flax Cultivation in Ireland.—After short debate, Vote *agreed to* .. 1309

(59.) £780, Malta and Alexandria Telegraph, and Subsidies to Telegraph Companies.—After short debate, *agreed to* .. 1311

(60.) £10,000, Agricultural Statistics, Great Britain.

(61.) £14,674, Miscellaneous Expenses from Civil Contingencies.—After short debate, Vote *agreed to.*

Resolutions to be reported *To-morrow.*

Greenwich Hospital (*re-committed*) **Bill** [Bill 179]—

After short debate, Bill *considered* in Committee 1314

After long debate, Committee report Progress; to sit again *To-morrow.*

Falmouth Borough Bill—(*Mr. Baring*)—*ordered;* read 1° [Bill 200] .. 1327

Penalties Law Amendment Bill—(*Sir George Grey*)—*ordered;* read 1° [Bill 202] 1327

Ecclesiastical Commission (Superannuation Allowances) Bill—(*Mr. Walpole*)—*ordered;* read 1° [Bill 201] 1327

National Gallery (Dublin) Bill—(*Mr. Peel*)—*ordered;* read 1° [Bill 203] .. 1328

COMMONS, FRIDAY, JUNE 9.

Prisons (*re-committed*) **Bill** [Bill 141]—

Bill *considered* in Committee 1328

After long debate, Bill *reported;* as amended, to be *considered* on *Monday* next.

CASE OF WALTER CRAYTHORNE—Question, Mr. Cox; Answer, Sir George Grey 1335

NAVY—SIR RICHARD BROMLEY—Question, Sir John Pakington; Answer, Mr. Childers 1335

ARMY—CASE OF LIEUTENANT COLONEL DAWKINS—Question, Mr. Darby Griffith; Answer, The Marquess of Hartington 1336

Writs Registration (Scotland) Bill—[*The Lord Advocate*]—[Bill 48]—
After debate, Order for resuming Adjourned Debate on Amendment on going into Committee [2nd June] read, and *discharged*:—Bill *withdrawn* .. 1337

Accident on the Great Western Railway—Question, Sir William Gallwey; Answer, Mr. Milner Gibson 1337

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Ireland—The Constabulary—Observations, Mr. Blake; Reply, Sir Robert Peel 1338

The Late Railway Accident—Observations, Sir Lawrence Palk; Reply, Mr. Milner Gibson 1342

St. James's Park—Question, Sir William Fraser; Answer, Sir George Grey 1347

Motion put, and *agreed to*.

SUPPLY—Civil Service Estimates—*considered* in Committee.

Class IV.—Education, Science, and Art .. 1348

The following Votes "to complete" the sums for the several Services mentioned:—

(1.) £65,164, the British Museum; after debate, Vote *agreed to* 1348

.. Revenue Departments, 1865-6 .. 1359

Vote I. £773,009, Customs Department (Salaries and Expenses).

Vote II. £1,284,157, Inland Revenue Department (Salaries and Expenses).

Vote III. £2,121,478, Post Office Department (Salaries and Expenses),
After short debate, Vote *agreed to* 1359

Post Office Packet Service.

£841,867, Post Office Packet Service.

Notice taken that 40 Members were not present—Committee counted, and 40 Members not being present,

[House counted out.]

LORDS.

SAT FIRST.

Monday, May 29.

The Earl Poulett, after the Death of his Uncle.

COMMONS.

NEW MEMBER SWORN.

Tuesday, May 9.

Lambeth—James Clarke Lawrence, Esq.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

SEVENTH SESSION OF THE *EIGHTEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 31 MAY 1859, AND FROM THENCE CONTINUED TILL 7 FEBRUARY 1865, IN THE TWENTY-EIGHTH
YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, May 9, 1865.

MINUTES.]—PUBLIC BILLS—*First Reading*—Police Superannuation* (95); Tories, Robbers, and Rapparees* (96).

Second Reading—Marriages (Lambourne) (83); Union Officers (Ireland) Superannuation (52).

Committee — Record of Title (Ireland)* (97); Sheep and Cattle* (58).

Report—Record of Title (Ireland)* (97); County Courts Equitable Jurisdiction* (94) [H.L.]

Royal Assent—Felony and Misdemeanor Evidence and Practice [28 *Vict.* c. 18]; East India (Governor General's Powers, &c.) [28 *Vict.* c. 17]; Bankruptcy and Insolvency (Ireland) Act Amendment [28 *Vict.* c. 21]; Metropolitan Main Drainage Extension [28 *Vict.* c. 19]; Inclosure [28 *Vict* c. 20]; Herring Fisheries (Scotland) [28 *Vict.* c. 22]; Land Drainage Supplemental [28 *Vict.* c. 23]; Local Government Supplemental [28 *Vict.* c. 24]; Local Government Supplemental (No. 2) [28 *Vict.* c. 25].

MARRIAGES (LAMBOURNE) BILL.

(No. 83.) SECOND READING.

THE BISHOP OF OXFORD, in moving the second reading of the Bill, said, its object was to legalize certain marriages which had been performed in a certain chapel of ease within his diocese, and was founded on precedents in similar cases. The chapel in question was a chapel of ease to the parish church of Lambourne, in Berkshire; and had been duly consecrated for the performance of Divine worship, but no authority had been given for the publication of banns or solemnization of marriages therein. Nevertheless, the Minister, under an erroneous impression that by virtue of the consecration of the chapel marriages might be solemnized therein, had performed several marriages, and had entered those marriages in register books kept either at the chapel or at the parish church. As soon as he found out his mistake he applied to him (the Bishop of Oxford) for advice, and the only remedy was to bring in a short Act to legalize the marriages. Since he had introduced the Bill he had received a communication from the Registrar General, who suggested that a clause should be added to this Bill, as was done in a similar case in 1861, extending the benefits of the provision to every other church in the same position, so as to make it more generally useful. If Her Majesty's Government had no objection he would propose such a clause in Committee.

Bill read 2ª, and *committed* to a Committee of the Whole House on *Friday* next.

UNION OFFICERS (IRELAND) SUPERANNUATION BILL—(No. 52.)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF ST. GERMANS *moved* the second reading of this Bill, the object of which, he said, was to extend to Ireland the principle adopted in England with reference to the granting of superannuation allowances to certain Poor Law officers. For this purpose the guardians of any union were empowered to grant superannuation allowances in certain cases, under certain conditions. These were that the officers who were to receive pensions must be sixty years of age, and have devoted the whole of their time for at least twenty years to the business of the union; the amount to be granted was not to exceed two-thirds of their salary, and the allowance was first to be sanctioned and approved by the Poor Law Commissioners. He regretted that the noble Earl opposite (the Earl of Donoughmore) had given notice of his intention to move that the Bill be read a second time that day six months, as the Bill only proposed to carry out, as regarded those officers, the principle that had been for some time adopted of granting superannuation allowances to civil servants who had spent the best part of their lives in the service of the public.

Moved, That the Bill be now read 2ª.—(*The Lord Steward.*)

THE EARL OF DONOUGHMORE rose to move that the Bill be read a second time that day six months. He was of opinion that if superannuation allowances were to be granted certain definite and fixed rules of superannuation should be laid down. Now the result of the provisions of the Bill, which left the matter to the discretion of the Board of Guardians or other local authorities, would be that if an officer was popular he would probably get some retiring allowance; but a man who might be an excellent officer and have served a long time might be forced to go without one if he had no friends in the district. The grant or refusal of superannuations should not be allowed to be swayed by local interest. He suggested that there should be a small annual contribution in every union in Ireland, which should be collected into one fund; and that these officers should have the security of getting their superannuations from the Central Board according to fixed and definite rules.

Amendment *moved*, to leave out ("now,") and insert ("this Day Six Months.")—(*The Earl of Donoughmore.*)

THE EARL OF ST. GERMANS said, that the best authorities on the subject in Ireland had represented to him that the measure would prove most beneficial. The arguments of the noble Earl opposite (the Earl of Donoughmore) were not so much against the Bill as in favour of some measure that was not yet in existence.

THE EARL OF ENNISKILLEN fully coincided in the objections to the Bill urged by his noble Friend who moved the Amendment. It appeared to him that the granting of pensions should be placed in the hands of some central authority instead of the Boards of Guardians.

THE EARL OF LEITRIM also opposed the Bill, believing that it would have the effect of increasing still more the taxation of Ireland, the weight of which was the principal cause of the great emigration that was going on from that country. He considered the Bill as objectionable in every shape and form, and if passed it would bring additional odium on the Boards of Guardians.

THE EARL OF DERBY confessed he was not a very good judge of the merits of this particular case, but it appeared to him somewhat significant that the second reading of the Bill was not supported as yet by any one of the Irish Members of their Lordships' House, whilst three noble Lords from the sister country had expressed the strongest opinions against the measure, and in favour of placing the authority in question in the hands of the Central Board of Commissioners instead of the Boards of Guardians. The difficulty in which they were placed was this, that they could not maintain their views without voting for the rejection of the Bill. If the measure were rejected, the Government would have the power of introducing another Bill adopting the proposition of his noble Friend, or so modifying it as to remove the objection entertained against the present measure in respect to placing the authority in the hands of the local Boards instead of in those of the Poor Law Commissioners. Upon the whole, if the question went to a division he felt compelled to vote with his noble Friend.

The Marquess of CLANRICARDE said, he should not have risen but for the observations of the noble Earl who had just sat down. He was certainly in favour of the Bill, and believed that it would be a great disappointment in Ireland if it were rejected.

On Question, That ("now") stand Part of the Motion? their Lordships *divided:*—Contents 73; Not-Contents 46: Majority 27:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

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Colchester, L.
Colville of Culross, L.
Delamere, L.
Denman, L.
De Ros, L.
Digby, L.
Dunsany, L.
Egerton, L.
Grinstead, L. (*E. Enniskillen.*)
Inchiquin, L.
Raglan, L.
Ravensworth, L.
Redesdale, L.
Saltersford, L. (*E. Courtown.*)
Sheffield, L. (*E. Sheffield.*)
Sherborne, L.
Templemore, L.
Tredegar, L.
Tyrone, L. (*M. Waterford.*)
Wharncliffe, L.
Wynford, L.

LEONARD EDMUNDS, Esq.

RESIGNATION OF CERTAIN OFFICES, AND ON THE PENSION GRANTED TO HIM BY THIS HOUSE.

Moved, That the following Passage from the Report from the Select Committee on the Resignation by Mr. Edmunds of certain Offices, and on the Pension granted to him by this House, be read; (*Lord Redesdale*) *agreed to;* and the said Passage read as follows:

"The Committee have examined the Chairman of Committees as to the Knowledge by the Members of the Select Committee (which he attended) of any Circumstances which might disentitle Mr. Edmunds to a Pension. He stated that there was 'a general Knowledge or a general Impression on the Part of most of the Members of the Committee that in consequence of certain pecuniary Transactions in which Mr. Edmunds had been concerned in the Patent Office he had resigned his Appointment in it.' 'But' (he added) 'the Petition was presented to the House without observation, and no Order was made directing the Committee to inquire into it. We had only the Facts stated in the Petition which was referred to us, and upon those Facts we had to inquire what Pension Mr. Edmunds should be considered entitled to.' It is to be regretted that the Committee did not consider it to be their Duty under the Circumstances to act upon their general Knowledge or Impression so far as to interpose some Delay before the Question was finally disposed of in favour of a Pension, which had the Circumstances been fully known to them would probably not have been recommended."

Lord REDESDALE said, that it now became his duty to move the Resolution of which he had given notice; and in doing so he would repeat what he had said on yesterday evening—that he desired most especially to keep himself free on this occasion from entering in any degree into Mr. Edmunds' case, and to confine himself entirely to what related to the proceedings of the Committee. He hoped noble Lords would follow his example in that respect, and that they would remember that notice of another Motion had been given which would come on afterwards, and upon which an opportunity would be presented, if it were desired, of entering more fully into the case of Mr. Edmunds. The question which he had to bring before their Lordships was one of great importance to the House in many respects, because it involved the question of the duty of their Committees, and that was one reason why he had felt it his duty to call attention to the subject. A part of the question related personally to himself, and the rest related to the Committee. The paragraph in the Report to which he referred commenced by giving a statement of what was said to be his opinion as to the knowledge of the Committee upon certain subjects which then came before them. It was as follows:—

> "The Committee have examined the Chairman of Committees as to the knowledge by the Members of the Select Committee (which he attended) of any circumstances which might disentitle Mr. Edmunds to a pension. He stated that there was 'a general knowledge or a general impression on the part of most of the Members of the Committee that, in consequence of certain pecuniary transactions in which Mr. Edmunds had been concerned in the Patent Office, he had resigned his appointment in it.'"

Now, he certainly had no reason to suppose that any Member of the Committee had any wish to say or to do anything which was not perfectly fair to him in the matter; they were all old acquaintances of his, and many of them personal friends. However, he must say that the words which were there put into his mouth were not his words—they were the words of a question which was put by the noble Lord the Postmaster General, and if their Lordships would look to the Question 1,808 in the Minutes of Evidence they would see such was the case. That noble Lord (Lord Stanley of Alderley) asked—

> "I think you stated, also, that there was a general knowledge or a general impression on the part of most of the Members of the Committee that, in consequence of certain pecuniary transactions in which Mr. Edmunds had been concerned in the Patent Office, he had been obliged to quit that office and resign his appointment in it."

His (Lord Redesdale's) answer was "that he had resigned it—I do not know that I can say 'obliged to resign it.'" Now, it was to a certain extent held that a person accepted a question if he answered it in its entirety; but the answer he gave accepted only the latter part of the question, his answer being merely "that he had resigned it." He could have wished that his answer in an earlier part of the examination had been given, as it would have thrown light upon the point. The answer to which he referred was given to Question 1,797. He was asked—

> "Was there any discussion about the transactions in which Mr. Edmunds was supposed to have been involved?"

His answer was—

> "No, I should not call it any discussion upon the subject. As I say, there were certain things talked of; but the impression upon the minds of the Members of the Committee present was that a Report had been made which called upon Mr. Edmunds to make a payment of money which had not been accounted for by him in his office, and that he had not only paid that, but that he had paid a larger sum than that which he conceived was due from him to the office. As regards the question whether the fact of his having been behind in his payments had anything to do with the question relating to his resignation of the office in the House of Lords, we may, more or less, have thought that it had something to do with it; but certainly the impression upon the minds of the Committee at the time was that he had satisfied the claim that had been made against him with respect to the money payment."

That was his impression not only then, but for a considerable time afterwards. In answer to Question 1,799, which was—

> "Then, it would have occurred to you that it must have been in consequence of his being behind in his payments in another office that he wished to retire from the office he held in the House of Lords"—

He said—

> "I should say that it was my own impression that that was the motive, but at the same time I must add that, although I do not know what the result of the inquiry before the Committee may be, still, considering what I had known of Mr. Edmunds, and imagining that he had made a full payment, I was rather surprised at his having taken that step. I thought that it would have been better not to have taken that step with regard to his office in the House of Lords if he could have discharged his duties."

That opinion bore upon the point how far a man who had done something objectionable in one office should be precluded from remaining in another. Their Lordships would find a similar opinion expressed by a noble and learned Lord whom he saw opposite (Lord Cranworth), at page 10 of the Report. In a letter to the Lord Chancellor dated the 3rd August—

> "My opinion was, and is, that for any misconduct in his office of Clerk of the Patents amounting to dishonesty (and the applying public money to his own use is *primâ facie* dishonesty) he ought to be removed from his office of Clerk at the table of the House. There might be neglect, or perhaps even delinquency, to some extent, in his office of Clerk of the Patents, which might be of a nature not to compel or even to justify his removal from another office. All this will have to be considered attentively when he is called on to show cause why he should not be removed from his office of Clerk in the House of Lords."

That was an opinion which deserved to be received with considerable respect. His own impression was that, having known Mr. Edmunds for many years, and having always found him, as far as he knew, a gentleman and an honourable man, he should not lightly take up charges which were brought against him in that way; and he said then, and would still repeat, that he did not believe that there was anything known at that moment which would call necessarily for the resignation of Mr. Edmund's office in that House. In confirmation of that, he would remind their Lordships that, on the first debate on this subject, which occurred on the 7th of March, which was more than three weeks after the Committee had reported, he said to the House that, in his opinion, a great deal of what had arisen with regard to Mr. Edmunds was owing to his indiscretion in resigning his position in that House, especially when, as he stated, he had a complete answer to the charge. But the important point was—what was the opinion of the Members of the Committee with regard to the charge against Mr. Edmunds when they meet to consider the Report which they were to make to the House. The paragraph of the Report to which he was calling attention went on to say—

> "But the petition was presented to the House without observation, and no order was made directing the Committee to inquire into it. We had only the facts stated in the petition which was referred to us, and upon those facts we had to inquire what pension Mr. Edmunds should be considered entitled to."

Again, he was sorry that the whole of his answer was not given. The Question that was asked him was—

> "Would it not, then, have been natural, if you considered that there had been certain transactions in which he had been concerned which were not particularly to his credit, that you should have made a further inquiry as to what those transactions were before you decided to award him a pension."

To that Question he replied—

> "It must be apparent to everybody, I think, that those transactions must have been better known to the officers of the Government than to any other parties. The petition was presented to the House without observation, and no order was made directing the Committee to inquire into it. We had only the facts stated in the petition which was referred to us, and upon those facts we had to inquire what pension Mr. Edmunds should be considered entitled to."

The whole gist of the question was that Mr. Edmunds' petition was presented by a Member of the Government without any observation, and without giving the Committee any information. The Committee had to take this circumstance into their consideration. With regard to the proceedings before the Pension Committee, of which he (Lord Redesdale) was Chairman, he should like to read the evidence he gave as to what took place before the Committee—

> "What took place in the Committee, so far as I am concerned, was this:—I said, 'I regret very much that there is no Member of the Government present, because I think it is desirable that a Member of the Government should always be present when pensions are awarded.' It was stated that there were upon the Committee only three Members of the Government; one was the Lord Chancellor, another was the Lord President, and the third, I think, was Lord Stanley of Alderley. [Lord STANLEY OF ALDERLEY: I was not on the Committee; my name is not in the list.] Then there are only two Members of the Government upon the Committee. At the time when the Committee was sitting the Lord Chancellor was sitting in the House on Appeals, and it would have interrupted him to have asked him to come in; and Lord Granville was not down at the House. We should have, perhaps, deferred the Committee altogether if it had been put off until he could have attended. I stated that I thought it desirable that they should have been present to call the attention of the Committee to the subject, especially in a financial point of view; in fact, I think that generally would be the case; but the other members of the Committee, although they also desired the presence of a Member of the Government, when they heard the reasons why neither of the noble Lords was present who might have represented the Government on the subject, were disposed to proceed, and accordingly the Motion was made that the pension should be of the amount I have stated, and it was agreed to by the Committee."

He trusted that their Lordships would now be of opinion that there had been no desire on the part of the Pension Committee to come to a decision on the retiring provision for Mr. Edmunds without due consideration. The Committee felt that if the Government had anything to communicate to them they would have done so, and that in the absence of any information there was no need for them to take any particular step on the subject. His opinion on the course to be pursued on this subject he had expressed to the Committee, and it was as follows:—

> "I always like a Committee thoroughly to understand, as far as my experience can guide them, what it may be desirable for them to do or to desire, and therefore I said that for my own part I thought it was always desirable that in cases of this kind a Member of the Government should be present; but, at the same time, it was open to the Committee to proceed at once if they pleased. We had full power to do what we pleased upon that subject, and it was for the Committee, not for me, to determine what course should be taken, I having suggested to them that point."

And he added—

> "In justice to the Committee, I am bound to say that the point I suggested to them was not as regarded the case of Mr. Edmunds, but as regarded the question of awarding a pension generally. I said I liked to have some person present who would be responsible as representing the Executive."

Again, in Question 1824,—

> "You suggested to them the point that it was desirable that a Member of the Government should be present *quoad* the matter then before the Committee—namely, the pension to Mr. Edmunds?—No; not as regards Mr. Edmunds, but *quoad* any question of a pension of such an amount."

Their Lordships would see that the Pension Committee acted on the opinion that there was nothing in the case before them that prevented their taking the subject into their full consideration, and they were justified in thinking that there was no information which the Government considered it necessary specially to lay before the Committee. The petition referred to them for consideration stated that Mr. Leonard Edmunds had served the House for a certain number of years—that he was desirous of retiring—and prayed that their Lordships would be pleased to grant him such retiring allowance as they might think fit. It must be recollected that the retirement of Mr. Edmunds had been accepted by the House With that question the Pension Committee had nothing whatever to do. The Select Committee expressed their regret that Mr. Edmunds had been allowed to retire, and had thereby been enabled to withdraw himself from the impending inquiry. But that resignation had been accepted by the House without comment, and the only question before the Pension Committee was as to the amount to be voted as a retiring provision. The Committee all thought the amount recommended by them very fair. The Select Committee said—

> "It is to be regretted that the Committee did not consider it to be their duty, under the circumstances, to act upon their general knowledge or impression so far as to interpose some delay before the question was finally disposed of in favour of a pension which, had the circumstances been fully known to them, would probably not have been recommended."

In answer to this passage he stated to the Select Committee the reasons why the Pension Committee were justified in coming to the recommendations they made. The only question referred to the Committee was the amount of the retiring pension, and it was most important that Committees should not travel beyond the powers intrusted to them. It was the practice of that House—whether a desirable practice or not he was not prepared to say—in nine cases out of ten when a Report of that kind was made the Report was agreed to almost as a matter of course at the time it was presented to the House. If their Lordships would consult their Journals, they would find that it was a most extraordinary thing that the delay of a whole week, which occurred in this instance, should have taken place. Nor was this a Committee appointed for the express purpose of considering the retiring provision to Mr. Edmunds. It was a Committee appointed at the beginning of every Session, and consisted of precisely the same Members as were upon it last Session. There was, therefore, no preparation or special arrangement with reference to this particular question. The Report was presented to the House on the Friday following the day on which the Committee met. It took some time in drawing up, because there were other things to arrange—the salary of the officer who succeeded Mr. Edmunds, and the salaries of the junior department of the clerks of the House. After it had lain on the table for a week, the Clerk of the Parliaments (Sir John Shaw Lefevre) asked him what ought to be done with it? He replied that he supposed it ought to be agreed to. No notice was given of the Motion for agreeing to the Report, and it was agreed to. There was no use in their Lordships shutting their eyes to the fact that no one was able to give an opinion on the rumoured defalcations of Mr. Edmunds, except the Members of the Government. With regard to those noble Lords it was open to them, if they had thought fit, to give information on the subject to the House, and if they disagreed with the Report, it was in their power to come down and move its rejection. So that the week's interval that was given before the Report was confirmed by the House was ample, supposing there had been any disposition on the part of the Government to bring any information before the House. There was nothing unusual in the practice of the Committee, and the delay was amply sufficient to allow any communication to be made to the House. He must now allude to a passage in the Report relative to the examination of the noble Earl opposite (Earl Granville). The noble Earl did not attend the Pension Committee, and he stated his reason. The noble Earl said—

> "The petition, I believe, was presented very early in the evening. I was not in the House at the time, and I was not aware that the petition had been presented; and although I might have made myself aware the next morning, by reading all that had passed in the Minutes of the proceedings, that such a petition had been presented, practically I was not aware of it. The card summoning the Members of that Committee contained nothing specifying what were the subjects that were referred to it, and I declare to the Committee that I was perfectly ignorant that this subject would be brought before it. I cannot state now whether I should have attended or not if I had known that this subject was to be brought before that Committee; but I certainly should not have attended without communicating with the Lord Chancellor, and probably with Lord Palmerston, and ascertaining what, in their opinion, it would have been my duty to communicate on the part of the Government."

That statement, on the part of the noble Earl, justified him in coming to the conclusion that there was no intention on the part of the Government to make any communication to the Committee. Under these circumstances, he thought there was no ground whatever for laying blame upon the Committee for not having acted upon vague impressions. And for himself he declared that at the time he never imagined it was indispensable that Mr. Edmunds should resign; he believed that he had been guilty of irregularity, but not of acting unfairly, and that full payment of everything due from him to the office would be made. His belief was that Mr. Edmunds had resigned his Patent office from a feeling which every man could appreciate—namely, that he could not with comfort remain in an office where he was known not to have conducted himself in all respects with regularity. But neither then nor for a long time afterwards did he believe that there was anything which necessarily called for the resignation of his office in the House of Lords. He had stated these matters as fairly as he could, both as they affected himself and every Member of the Committee; and was induced to move the Resolutions of which he had given notice, believing that the proceedings of a Committee of their Lordships' House should not be assailed without their being heard in their own defence. He did not condemn any one; but he maintained that the sentences in the Report in which the opinion of their Lordships was conveyed were, perhaps, harder on the original Committee than their Lordships themselves intended them to be. He trusted he had satisfied the House that the original Committee had nothing before them which could justify their acting otherwise than they had done; that they could not have taken the measures it was now suggested they ought to have done without a special Order from the House; and that, if they had taken action upon the matter, in the absence of positive information, they would have been instituting an inquiry they were not called on to make upon the shallow basis of mere rumour and surmise. On the question of delay his views were sufficiently before their Lordships already. If noble Lords, having a whole week in which to communicate, had not availed themselves of the opportunity of doing so, it was perfectly reasonable, he insisted, that the Report should be agreed to without blame thereby attaching to any one. The Committee had acted in a manner similar to all other Committees of their Lordships' House; there had been nothing irregular or informal in their procedure. And, on his own part, he denied that there had been any step, intentionally taken, at least, to preclude inquiry, or to do anything opposed to the rules of their Lordships' House. The noble Lord concluded by moving—

1. That the Petition of Mr. Edmunds, stating that after having served the House Seventeen Years as Reading Clerk and Clerk of the Private Committees he desired to retire, and praying the House to grant him such Allowance as to their Lordships may seem fit, having been presented on Tuesday the 14th February by The Lord Chancellor without any Comment being made thereon by him or any other Member of the Government present on that Occasion, and referred to the Select Committee on the Office of Clerk of the Parliaments without any special Order or Instruction in relation thereto, that Committee, when they met on Thursday the 16th February (Mr. Edmunds' Resignation having been already accepted by the House), had no Question to determine on the Petition so referred to them but the Amount of retiring Pension to which he was entitled, and would have exceeded their Duty if without special Instruction from the House they had proceeded to inquire into his Conduct in any Matter unconnected with his Duties in this House:

2. That the Report having been presented on Friday the 17th February, was Ordered to be laid on the Table, and was not agreed to until Friday

the 24th February, whereby sufficient "Delay was interposed before the Question was finally disposed of in favour of the Pension" for any Lord acquainted with Circumstances which ought to have been known to the House before the Report was adopted to have brought the same under the Consideration of the House:

EARL GRANVILLE: My Lords, having been Chairman of the Select Committee, I rise to say a few words in support of the view taken by them, and regarding these Resolutions that my noble Friend asks you to adopt. I must begin by saying—though it is scarcely necessary to do so—that I impute nothing to my noble Friend but the best possible motives; and that in the few observations I am about to make I shall confine myself rigidly to the limits he has pointed out, and I trust I shall maintain the same temperate tone which he has employed in addressing your Lordships. My noble Friend says that the paragraph in the Report which he has read is somewhat uncalled for, and was merely introduced from a wish, having blamed other persons, to lighten that blame by spreading it a little wider. I can assure my noble Friend, and I think every Member in the Committee will agree in the assurance, that our duty was of a very painful character [The Earl of DERBY: Hear, hear!] and that we entered upon the inquiry determined to do our duty, but with no wish to go one step beyond what our duty required. I have heard that at the time some objections were raised to the composition of the Committee. But I venture to state—having often served on Committees of the House of Commons, of this House, and elsewhere—I never remember to have worked with any body of men who seemed less determined to adhere to their preconceived notions, or more desirous to arrive in a legitimate manner at the truth, and to state that truth simply and plainly to your Lordships' House and the public. I venture to add to this statement, that I make it to the full extent as strongly with regard to noble Lords opposite as to any sitting on this side of the House. The noble Lord seems to think that it is a work of supererogation to allude to the conduct of the original Committee at all; but I must call your Lordships' attention to what took place in the debate when, upon the proposal of the noble and learned Lord upon the Woolsack, this Committee of Inquiry was appointed. The noble Earl opposite (the Earl of Derby), in his speech, mentioned the different persons whose conduct he considered to be impugned by public rumour, and distinctly stated that among the parties who would have to answer before the Committee would be the Committee presided over by the noble Lord the Chairman of Committees. A reference to the wording of the Order of Reference will convince your Lordships that my interpretation is the correct one, and that, notwithstanding the objection taken by the noble Lord the Chairman of Committees, that the words would make the Select Committee inquire into the conduct of the Committee over which he had presided, those words were put in and agreed to, *Nemine Contradicente*, by your Lordships. I think, therefore, that to shirk all consideration of this question would have been impossible for a Committee constituted as this one was. Does the noble Lord think it was a tempting subject for us to criticize the conduct of the Committee over which he presided? I will say, for this side of the House as much as for the opposite side, that we all appreciate both his industry and ability in carrying on the business of the House, and the interest which he shows in everything concerning the welfare and honour of the House. On that Committee were Peers who had held office under the noble Earl opposite, and Peers holding high office under the present Administration; two Peers, one from each side of the House, exercising most important and confidential functions, akin, in vulgar phrase, to those of the functionary next in rank to the huntsman in the riding field; another Peer, than whom I believe none is more respected or better liked, and whose exercise of supreme authority in another branch of the Legislature remains to this day a tradition in that Assembly. Can it be supposed that there would be any wish or policy upon our part leading us to attack a Committee thus composed — many of its Members our political friends, all of them having high claims on our personal friendship? And, with regard to relieving, at their expense, other persons from censure, if it had been proposed to do so, even if we possessed a majority adequate for the purpose, I cannot conceive that noble Lords opposite, however fair and impartial they may be, would criticize unjustly and contrary to their own opinions the conduct of this body, comprising some of their strongest political supporters. But I do not think that some of the reasons I have given why we should be reluctant to criticize this body would have made the public exceedingly alive to any omissions or laches, in their opinion, observable on the part of the Select Committee. Let me put before the House the amount of criticism which was passed upon the Committee in our Report. If we had stated that in our judgment the Committee erred in not going into a judicial inquiry as to the truth or falsehood of the charges brought by Messrs. Greenwood and Hindmarch against Leonard Edmunds, I think all would have a right to complain; or if we had stated that the Committee did wrong in not refusing a pension to Leonard Edmunds, in that case the Committee would have a right to complain. There is, however, one person who, I hold, has no ground of complaint at all against the paragraph inserted in our Report, and that is my noble Friend the Chairman of Committees in this House. What did we do? All we did was to express our regret that the general knowledge and impressions prevailing on the minds of the Committee did not induce them to interpose some delay before coming to a final decision. Why, this is exactly what the noble Lord the Chairman of the Committee discussed with the rest of the Committee who overcame his view. The noble Lord says it is hard to be taken to task for the terms of the question that he consented to answer; but it was only the summing up of what he had previously answered. He spoke of the impression on the minds of the Committee, and said he had no recollection whether the subject was brought forward again once business was regularly entered upon; but it was a matter talked of by all the Members of the Committee as they assembled. The noble Lord then goes on to complain that no Member of the Government was present on the Committee; and in dealing with this point I would remark that it is most satisfactory to us that the noble and learned Lord on the Woolsack has been acquitted of being actuated by any unworthy motives in this matter, though there might have been an error of judgment on his part. But with all the other duties which he has to perform, it is unreasonable of the noble Lord to expect that the Lord Chancellor could have attended the Pension Committee, while, at the same time, it would have been the easiest thing in the world for that Committee to have communicated with him if they had any doubt whatever on the subject of their inquiry. Well, then the noble Lord the Chairman of Committees expresses some regret that I was not present at their deliberations; but I really do not think I was culpable for that non-attendance in the slightest degree. I was not in the House when the petition was presented, nor did I know that it was presented. And although, I may add, I was summoned to attend the Committee, yet it is not a Committee I am in the habit of attending, and the summons had no reference to the business which was to be transacted, and, in point of fact, I had not the most remote idea that the subject of this pension was to be discussed. The noble Lord says that the Committee examined precedents, but not into the granting of the pensions themselves. I think this was a somewhat hasty course. In cases of this nature, I believe it is the usual practice to refer to the most immediate precedent on that point, and the only one at all analagous was, I believe, that of Mr. Birch, which occurred some years ago, and which does not seem to have been examined into. The noble Lord ought to have endeavoured to ascertain something as to what was the practice in reference to the granting of pensions. That was a most fitting inquiry to be made. As to the practice of the Treasury in such matters, I am told that they have printed forms of questions that are required to be filled up, and that it is their invariable rule to refuse one to a clerk who has misconducted himself in another office. And even with regard to the amount of the pension, it is clearly laid down that any one beyond the age of sixty has a right to resign, however short his service may have been. Mr. Edmunds, being no doubt above sixty, had a right to resign; and his pension being calculated upon the principle observed at the Treasury, he would have been entitled to something less than a third of his salary, while what had been awarded was rather more than one-half. I believe that larger salaries and pensions are given to Parliament officers than to others, but I do think that if the Committee had examined into the practice of the Treasury even in that respect the delay which would have occurred would have been valuable. Under these circumstances I cannot help thinking that we were justified in arriving at the conclusion that some blame was attributable to the Committee. The Committee having spent ten days in examining witnesses, spent four more in considering their Report. There was necessarily a great deal of discussion upon it. The noble Lord, not having divided the Committee, he must be taken to be bound by its Report. I therefore object to the first Resolution on two grounds. In the first place, it is clearly meant to be an answer to a paragraph in the Report and a censure upon it. And I also object to it with regard to the last line. I do not conceive that when your Lordships referred the question of this pension to a Committee in which you have such implicit trust that you adopt its recommendations as a matter of course, it is exonerated from the responsibility of inquiry whether there should be any pension at all, as well as how much that pension should be. I have so far stated my objection to the first Resolution. That Resolution bears upon the question between the two Committees. The second, however, bears upon the question raised between the noble Lord, as an individual, and the whole of your Lordships' House. When we complain of there not having been sufficient delay in the Committee, the noble Lord answers that there was plenty of time for the House to have interfered. The usual course would have been for the noble Lord to place a notice on the paper that on a certain day he would move that the Report of the Committee be agreed to, and thus given time for further delay. The noble Lord did not adopt that course, and it was natural that he should not do so. There was a certain degree of doubt upon the subject; it was probably felt that this question might attract public attention, and, in the course of a week, the noble Lord communicated to that most excellent officer, Sir John Shaw Lefevre, his opinion that the Report of his Committee ought now to be agreed to, but he placed his notice on that particular corner of the Minutes which your Lordships seldom read. I acquit the noble Lord of the slightest intention of concealing anything from the House, but I must say that for such a consummate man of business he certainly did adopt the most clumsy method that was possible of giving notice. If he had taken another course the House would have been responsible; but I believe there was hardly a Member that was not by this time aware that there was something more than rumours; but I do not believe that any Member of the Government had seen the report of Messrs. Greenwood and Hindmarch at that time. They merely knew what had been stated by the noble and learned Lord in the Cabinet, who said that Mr. Edmunds had in his Patent Office committed embezzlement, but had refunded more than there was at first reported to be due from him. But there were two noble and learned Lords who had seen the Report—Lord Kingsdown, and my noble and learned Friend (Lord Cranworth); and if the Chairman of Committees had brought the matter publicly forward, those noble and learned Lords would have assumed a great responsibility if they had not taken action in the matter. In the mode in which it was arranged I say it was perfectly impossible that your Lordships would take notice of it. I think that the House will stultify itself in the greatest degree if it passes the second Resolution; and I must make a very earnest appeal to my noble Friend. I think it most desirable, whether by moving a Resolution or otherwise, that the original Committee should have an opportunity of explaining their views of the course which had been taken. Public opinion would then judge between us; but I believe that a division on this Motion would not affect public opinion in any degree; but it would place me and others in a most painful position, because the Report merely regrets the circumstance that there was not more delay; and if we vote against these Resolutions, as we must do, unless we wish the House to stultify itself, it will look like a vote of censure upon the Committee of the noble Lord. I hope the noble Lord will not give us the great pain of dividing on the Resolution.

The Earl of HARDWICKE said, he was much struck by the position in which the House was placed; but if any one were in fault he thought the blame would be thrown, by the opinion of the country, not on the Committee but on the House itself; he, therefore, entirely agreed with the view taken of this subject by his noble Friend who introduced the discussion. The Committee on the Parliament Office was not bound to inquire into the general character of Mr. Edmunds; their business was to confine themselves strictly to the matter referred to them in connection with the pension he should receive. Their duty was to examine into the precedents that existed on the subject, and, having done that, to lay their report on the table, on which the House would have to decide whether Mr. Edmunds should receive a pension or not. For himself, he must say he felt injured when he read in the newspapers that he had been a party to the granting of a pension to a man who was a public delinquent. He was totally ignorant of his defalcations—he had never heard of them—or of anything else to damage his character. He had been accustomed to regard him as a public servant of value—a respected officer of that House. The Committee were charged, as he understood, with neglect of duty in not having called the attention of the House to the Report; and if any one was bound to make a specific Motion on the subject it was his noble Friend the President of the Council. Those who knew of the delinquency of Mr. Edmunds were the parties who should have called the attention of the House to the subject. The Committee on the Parliament Office were not aware of that delinquency—he had not even heard of it by public report; but the President of the Council, he took it, was aware of the whole case. Under these circumstances, he felt the House itself was placed in great difficulty. What they had to do was to vindicate before the public their ignorance of the delinquencies which had been committed; to show that they had not voted this pension to Mr. Edmunds with the knowledge that he had been guilty of any crime whatever. He thought the Committee on Mr. Edmunds' resignation had made a great mistake in referring as they had done to the conduct of the Committee on the Parliament Office. They had no right whatever to visit them with such a notice. They had strictly performed their duty; and the House ought to vindicate them by adopting, if not these, at all events some Resolutions with a similar meaning.

VISCOUNT EVERSLEY said, that having had the honour of being a Member of the Committee on the Parliament Office, he wished to say a very few words on the question before the House. He thought his noble Friend who had so ably presided over the Edmunds' Inquiry Committee had fully justified the conduct of the Committee on the Parliament Office, for the Order of Reference to that Committee had been strictly observed. It was unusual for one Committee to censure another Committee, and there certainly was no precedent for a Committee being censured for not acting in direct contravention of the rules of the House. The Report of the Committee on the Edmunds' Inquiry contained the following paragraph:—

> "In their opinion it was incumbent on the Lord Chancellor, who presented the petition of Mr. Edmunds to the House of Lords, in some manner to have apprised the Parliament Office Committee of the circumstances under which the resignation of Mr. Edmunds of the clerkship had taken place, and with which the Lord Chancellor was officially acquainted, and not to leave them to decide the question of a pension with no clearer light than that which could be derived from vague and uncertain rumours."

He could not pretend to much experience of the Rules and practice of their Lordships' House; but he was familiar with the practice of the other House of Parliament; and if there was one rule more than another which was strictly upheld in that House, and which ought to be observed, most strictly in this House, it was the rule that restrained a Committee from considering any subject-matter not specially referred to them. He apprehended, therefore, it would have been perfectly irregular to allow any matter other than what had been referred to them to interfere in any way with the proceedings of the Committee on the Parliament Office. Still less would it have been right for that Committee to have postponed their proceedings. It is not difficult to imagine a case where the object of an inquiry might be defeated by its postponement, and if that postponement was caused by vague and uncertain rumours the most mischievous consequences might ensue. He could fully corroborate the statement made by the Chairman of Committees with regard to the proceedings of the Parliament Office Committee. There was really no discussion on Mr. Edmunds' conduct in the Patent Office. The only question that was discussed was the claim that Mr. Edmunds had made for a pension as a reward for seventeen years' service as Reading Clerk of that House, and for previous service as Clerk of the Crown. Every precedent to be found in the Journals bearing on that point was examined by the Parliament Office Committee, and they awarded a pension such as had been awarded in other cases. They were unable to do more than that; and it was impossible for them to inquire into the conduct of Mr. Edmunds in the Patent Office, of which they were entirely ignorant. His noble Friend (Earl Granville) might have had very good reasons for not attending the Committee; but he hoped the House would see that the Committee had not been very fairly dealt with, when two of its Members who were conversant with the case not only did not attend, but did not communicate in any way to the Committee what they knew of the conduct of Mr. Edmunds. If either of those noble Lords had been in attendance they could not have allowed the Committee to decide the case without putting them in possession of those facts of which they were cognizant with reference to Mr. Edmunds' conduct in the Patent Office. They ought not to have allowed the Committee to remain in ignorance ; but, being in ignorance of these facts, the Committee really were bound to decide the case they had before them within the four corners of Mr. Edmunds' petition. For his own part, he felt very grateful to his noble Friend (Lord Redesdale) for introducing this subject, because he did feel that considerable censure had been conveyed by the Report of the Edmunds' Inquiry Committee, and he would say that that Report had sanctioned a very lax procedure with regard to Committees, by encouraging them to exceed the limits strictly prescribed by the Order of Reference. The first of these Resolutions, which went to establish the rule of the House, was, he thought, most valuable. The second Resolution was of far less importance, and if his noble Friend thought fit to withdraw it, that would perhaps be the most advisable course. The first Resolution, however, was necessary, not only to show on what evidence the Committee had proceeded, but also to uphold the Rules of the House, and prevent the introduction of a very lax practice, which would lead to great public inconvenience.

The Earl of WICKLOW thought the difficulty in which the Committee had been involved arose entirely from the manner in which the noble and learned Lord on the Woolsack had presented the petition of Mr. Edmunds. That noble and learned Lord knew perfectly well all the circumstances of the case ; he was well aware of the inquiry which had been instituted and the position in which Mr. Edmunds stood at that time ; but, notwithstanding, he came down to the House and presented the petition, requiring the House to take it into consideration, without making them in the slightest degree acquainted with the circumstances in which Mr. Edmunds stood.

Lord LYVEDEN said, that although errors no doubt had been committed in this matter, he hoped the House would not attempt to remedy them by committing the still greater error of adopting the Resolution proposed by the Chairman of Committees. It might be very unusual or very improper for one Committee to notice by way of objection the proceedings of another; but the Resolution moved by the Chairman of Committees went the length of laying down the doctrine that when the question of a pension was referred to a Committee of that House that Committee could consider only the amount of such pension, and not whether any pension should be granted at all. There never was such a doctrine laid down by a body entrusted with finance. Only conceive the Treasury acting on such a principle, and asserting, when an application for a pension was before it, that it could never dream of inquiring whether the applicant had not been a defaulter in any other of his public situations ! The noble Lord had said it was most important that that House should stand well with the country—and that was very true ; but by agreeing to that Resolution they would stand very ill with the country. Their Lordships' House had taken high ground in claiming that they should not be interfered with by the House of Commons in granting pensions to their officers, and they were said to have managed the matter so well that it had not been interfered with by the House of Commons or by the Treasury. But could their Lordships maintain this high ground if they were to lay down a rule that in granting or withholding a pension they were not to inquire into the character of the officers asking for a pension. Therefore, he entreated their Lordships, for the sake of their own credit and consistency, not to affirm by a Resolution that a Committee to whom the granting of a pension was referred was not to think of inquiring into the character or conduct of the applicant in every part of his public employment.

The Earl of DERBY : My Lords, considering the part which I have had to take in an inquiry which I acknowledge to have been one of a painful character, I certainly cannot now shrink from the duty of taking a share in the present discussion. And I should feel my task to be still more painful if I did not entertain a sanguine hope that my noble Friend the Chairman of Committees having brought this question under the notice of the House, and having fully explained the grounds on which the Parliament Office Committee, who awarded a retiring pension to Mr. Edmunds, rested their decision, will not persist in calling upon your Lordships to affirm the Resolution which he has brought forward ; because, while I take the view which I believe was taken by the whole of the Committee of which I had the honour to be a Member, as to the course that was pursued by the Parliament Office Committee in regard to this pension, I cannot consent to affirm that which my noble Friend desires this House to affirm—namely, that under the terms of the reference to them their duty was to look at nothing at all except the amount of the pension. My noble Friend proposes that your Lordships should resolve—and I was sorry to find that my noble Friend opposite (Viscount Eversley) gave the sanction of his very high authority to certain of the doctrines laid down in this Resolution—that the Parliament Office Committee would have exceeded their duty if, without special instruction from this House, they had proceeded to inquire into Mr. Edmunds' conduct in any matter unconnected with his duties to this House. I cannot affirm that they would have exceeded their duty under the reference to them if they had made that inquiry; and for this reason—because the petition which was referred to them announced Mr. Edmunds' resignation, and prayed the House to recommend such a retiring pension to be granted him as might be thought fit; and it is perfectly obvious that the main question was not whether the sum to be granted him should be £600, £700, £800, or any other amount, but whether Mr. Edmunds stood in a position which entitled him to receive a pension at all. His petition was referred to the Committee, and it prayed that he might be awarded a retiring pension. Surely, when the question was thus referred to them—I do not say it was their bounden duty—but I say it was within their competence, to consider all the circumstances connected with him, and whether under those circumstances he was entitled to have any pension. I think that that part of the inquiry was fairly before the Committee when the petition praying for a pension was referred to their consideration. I cannot, therefore, affirm the proposition of my noble Friend that they would have gone beyond their duty if they had made an inquiry into that which I hold was clearly within the reference. But the Select Committee of which I was a Member do not assert that it was their duty to inquire into these circumstances, or that they were bound so to do. What the Select Committee do state is this—and here, I hope, your Lordships will recollect that in entering upon our very painful investigation we had a positive judicial duty to perform—we had to perform the duty of ascertaining whether a pension granted by this House on the recommendation of its Committee had been, under all the circumstances which might have enabled them to judge, justly or unjustly conferred upon Mr. Edmunds. The Order of Reference to us was "to inquire into all the circumstances connected with his resignation" of his various offices, and also "into all the circumstances connected with the grant of a retiring pension to him by this House." Observe, "all the circumstances connected with the grant of a retiring pension." What were those circumstances? The first thing was that the pension was granted on the recommendation of a Committee specially appointed by this House to inquire whether he should have a pension or not. That Committee recommended that he should have a pension. How came they to recommend that? Why, because they were left in ignorance of the facts of the case, and compelled to come to a decision without knowing its real merits. It is thought to be a reflection upon the course pursued by the Committee that they were led to come to a conclusion without being informed of all the circumstances, and because it is said in our Report—

> "It is to be regretted that the Committee did not consider it to be their duty, under the circumstances, to act upon their general knowledge or impression so far as to interpose some delay before the question was finally disposed of in favour of a pension, which, had the circumstances been fully known to them, would probably not have been recommended."

As to the point of delay, my noble Friend (Lord Redesdale) says there was ample delay, because the pension was not granted until a week after it had been sanctioned by the Committee. But I am sure the meaning of the Select Committee was that it was to be regretted that some delay was not interposed by the Parliament Office Committee between the time of their being summoned together and the time of their agreeing to their final recommendations. We regretted, and I regret now, that with all the rumours then abroad, and with their general knowledge and impressions, the Committee did not think it at all events within their competence, if it was not their absolute duty, to inquire into the circumstances on which their general knowledge and impressions rested, and whether or not there were any circumstances which disqualified Mr. Edmunds from receiving a pension. That was one subject on which the Committee entertained regret. They regretted that the Parliament Office Committee did not inquire, but they regretted infinitely more that it was not informed of the facts of the case. And I think there is still further cause for regret, because the Select Committee did not adopt the Resolutions contained in the draft Report, which I believe stated more clearly the true position of the matter. That true position was this—The petition was presented to this House praying for the retiring allowance, by the Lord Chancellor —I do not say it was presented by the Lord Chancellor in the presence of his Colleagues; but it was presented by the Lord Chancellor with the knowledge of his Colleagues—it was presented by the Lord Chancellor, he having a full knowledge of the case; it was presented by the Lord Chancellor on the part of a Government all of whom had a full knowledge of the case. ["No!"] I am surprised at that mark of dissent from the noble Lord opposite, because we have it in evidence on the part of the noble and learned Lord on the Woolsack, that before taking any step he laid the case before his Colleagues; that he consulted the Cabinet, and that on more than one occasion—he referred himself to two several occasions; that the Cabinet had informed him that it was his bounden duty to submit the whole of the circumstances to this House, in order that the House might consider the propriety of the resignation.

EARL GRANVILLE, interposing, was understood to say that his noble Friend near him had signified dissent to the noble Earl's statement that the petition was presented by the noble and learned Lord on the part of the Government and with a full knowledge on their part of all the facts.

THE EARL OF DERBY: That is really a question which I must leave the noble Earl to settle with the noble and learned Lord on the Woolsack. Well, here are the circumstances—The petition was presented by the Lord Chancellor, a leading Member of the Government. The petition was presented by the noble and learned Lord with a full knowledge of all the circumstances; it was presented by him after having brought the question before his Colleagues, and having been informed by them that it was his bounden duty to lay all the facts of the case before this House. The noble and learned Lord under those circumstances lays the petition before this House without a single word of explanation —without a hint that there was anything requiring to be attended to, and without informing the Committee that there was anything unusual in regard to the resignation or the petition. Now, what are the facts of the case? The facts of the case are these. I will not say that the resignation was extorted from Mr. Edmunds, but I will say that Mr. Edmunds was told that the whole of the case would be brought before the House unless his resignation was in the hands of the Lord Chancellor before a particular day. The resignation was in the hands of the Lord Chancellor by that particular day. The Lord Chancellor then presented a petition on the strength of which Mr. Edmunds had awarded to him by a Committee, and subsequently by this House, a pension of £800 a year. Now, I want to know how it was that during the week which elapsed subsequent to the presentation of the Report of the Select Committee recommending the pension, neither the noble and learned Lord on the Woolsack nor any Member of the Government, being fully in possession of the facts of the case, called the attention of the House to that Report, pointed out that it had been drawn up in ignorance of the facts of the case, and proposed that the House should rectify the error. It was stated in the original draft Report of the Committee appointed to inquire into the circumstances connected with the resignation of Mr. Edmunds—

"The opinion which the Lord Chancellor appears to have entertained of his duty upon this occasion is one in which it is impossible for the Committee to concur. In forming a judgment upon it, it is necessary to bear in mind the position in which Mr. Edmunds stood at the time his petition was presented to the House. A report had been made to the Lord Chancellor by persons whom he himself had selected to inquire into alleged misconduct on the part of Mr. Edmunds, charging him in the strongest terms with having misappropriated to his own use public moneys, with having passed false accounts to the Treasury, and with having embezzled large sums which, but for the accidental discovery of his defalcations, would have been lost to the public. Upon this Report four grave charges had been framed by the Attorney General, and Mr. Edmunds had been called upon to answer them in a judicial inquiry. Instead of meeting these charges, Mr. Edmunds preferred to surrender his offices and to undertake to pay all that was due from him to the public; and he afterwards paid into the Exchequer nearly three times as much as his then discovered deficiencies. A second Report had been presented only a fortnight before his resignation, which charged Mr. Edmunds with still being a public defaulter to a very considerable amount beyond the sum which he had so paid. These circumstances were fully known to the Lord Chancellor, and were all essentially important to be known by the House in order to enable it to determine whether Mr. Edmunds was deserving of a pension or not. All that was afterwards done in the House was founded upon the petition presented to the House by the Lord Chancellor without observation. Upon its presentation the acceptance of Mr. Edmunds resignation was moved and agreed to, and the petition was afterwards referred by the House to the Select Committee on the Office of the Clerk of the Parliaments."

The draft Report went on to state—

> "Although the Committee see no ground for attributing to the Lord Chancellor any motive except an unwillingness to act harshly towards an officer of the House who had faithfully performed his duties to it for many years, they are compelled to come to the conclusion that in withholding from the knowledge of the House the serious matters affecting the character of Mr. Edmunds, and presenting his petition as if he approved of his application for a pension, he acted under a mistaken sense of his duty, and has thereby occasioned serious reflections to be cast upon the conduct of the House, and has placed it in a situation of great embarrassment and difficulty."

I do not think that there could be a stronger proof than the discussion which has taken place to-night of the embarrassment and difficulty in which this House has been placed by the course pursued by the noble and learned Lord on the Woolsack in withholding from the Committee on the Office of the Clerk of the Parliaments and from your Lordships all knowledge of the circumstances of the case. I say that the withholding these circumstances from the knowledge of the Committee was the first and primary cause of all the embarrassment that followed, and upon that point the Select Committee of inquiry respecting Mr. Edmund's resignation were bound to express their opinion, and I do not think that they expressed it too strongly when they stated that the Committee on the Office of the Clerk of the Parliaments should have been put in possession of all the circumstances before the pension was granted. I say still more strongly, that it was the bounden duty of the Government after the Report of that Committee to put this House in possession of the facts, to state that the Committee had made the recommendation in favour of a pension upon imperfect information, and to beg the House, to re-consider the decision of the Committee. But during the week, between the presentation of the Report of that Committee and the sanction given to it by the House neither the Government nor the noble and learned Lord on the Woolsack took the slightest notice of it. Their silence affirmed the recommendation of the Committee, and the House, acting on their silence and in ignorance, sanctioned their Report. I must say that if there be difficulty and embarrassment, and if reflections were cast on the conduct of the House, it should be recollected that that conduct was owing to the course pursued by the Government, and more especially by the noble and learned Lord on the Woolsack. And I must confess that I think that the manner in which the course pursued by the Committee recommending the pension is characterized by the Committee of Inquiry into the circumstances of Mr. Edmunds' resignation is not such as ought to create pain in the most sensitive mind. We have expressed our regret that in ignorance of the facts the recommendation of a pension was made, and we express still more strongly their condemnation of the course pursued in not putting the Committee in possession of the facts. It is quite natural that the Chairman and Members of the Committee who recommended the pension should be anxious to vindicate their conduct, and the explanations which have been given are most fair; but I am of opinion that we should not be called on to affirm Resolutions, the terms of which go further than is necessary. I cannot consent to affirm the latter part of the Resolution, and I hope it will be consistent with the honour of the House, after the complete explanation given by my noble Friend, if he will consent, and if the noble Earl opposite will agree to move the Previous Question on the Resolution, and not to ask us to pronounce an opinion "Aye" or "No" upon it. I speak in the name of the whole Committee who inquired into the circumstances of Mr. Edmunds' resignation when I say that we never meant to cast the slightest censure on the motives or even on the conduct of the Committee recommending the pension. This part of the inquiry was most painful to us, because we were inquiring into the conduct pursued by Gentlemen, almost all of whom are our personal friends, for all of whom we entertain the highest respect, all Members of your Lordships' House, and all acting with the full conviction that they were performing their duty. I hope the noble Lord the Chairman of Committees will allow his Motion to be passed over without pressing on the House abstract Resolutions tending to limit the scope of inquiries before Select Committees. The noble Earl concluded by moving the Previous Question.

Earl RUSSELL: My Lords, there can be no doubt, with respect to one assertion of the noble Earl (the Earl of Derby), that the recent Committee was one of a judicial character, and I think there can hardly be any doubt that the Committee performed their duty most impartially, with great ability, and presented to the House a very clear statement of facts explaining many doubtful circumstances. Another point, which the noble Lord who moved the Resolution has raised, and on which the noble Earl dwelt was, how this difficulty arose connected with the grant of a pension to Mr. Edmunds. The noble Earl goes further than the noble Lord, for he seems to think that the Lord Chancellor had brought the whole question before the Cabinet.

Lord CHELMSFORD: That he should have done so.

Earl RUSSELL: The statement in that respect is very explicit. The Lord Chancellor, after stating that he had consulted Lord Cranworth and Lord Kingsdown, says—

> "When I found that the House of Lords was the tribunal, I asked the Cabinet, is it my duty to bring it before the House of Lords? Not whether I was justified in doing so, but is it my bounden duty to do it? They said, 'Yes;' but that was only in order that the House of Lords might no longer have that officer, and when that officer retired, I then determined for myself, rightly or wrongly (I take all the responsibility of it), that I would not interfere actively to prevent his having a pension."

I think that the Lord Chancellor has stated most fairly and truly that that was the question raised before the Cabinet, and the Cabinet decided that it was the duty of the Lord Chancellor, if Mr. Edmunds appeared here as your Lordships' clerk, to produce the papers.

Lord CHELMSFORD: It is not, if Mr. Edmunds appeared at the table.

Earl RUSSELL: The Question "If Mr. Edmunds retained his situation," was the question put to the Cabinet, which the Cabinet resolved in the affirmative. There was a further question of whether Mr. Edmunds was to receive a pension without any intervention or objection on the part of the Government. That Question was never considered by the Cabinet at all, although one or two Members may have conversed on the subject; but I am decidedly of opinion that if the Lord Chancellor had asked the Cabinet the question, whether, supposing Mr. Edmunds should ask for a pension, and it was proposed that the matter should be considered by a Committee, the papers should be laid before the House, the Cabinet would have stated that it was necessary to do so. Therefore, the Lord Chancellor stated most truly that he never had the sanction of the Cabinet, in reference to that point, but that when Mr. Edmunds retired he determined for himself, rightly or wrongly, that he would not interfere actively in the matter. The responsibility of taking that course of making no communication to the Committee rests with the noble and learned Lord on the Woolsack; and it is an entire mistake, therefore, to say that the Government had resolved that no statement should be made to the Commiteee with respect to Mr. Edmunds. Well, the Committee have given their opinion of the conduct of the Lord Chancellor in these words—

> "The Committee cannot coincide with the Lord Chancellor in the view thus taken by him of his public duty. In their opinion it was incumbent on him, who presented the petition of Mr. Edmunds to the House of Lords, in some manner to have apprised the Parliament Office Committee of the circumstances under which the resignation of Mr. Edmunds of the clerkship had taken place, and with which the Lord Chancellor was officially acquainted, and not to have left them to decide the question of a pension with no clearer light than that which could be derived from vague and uncertain rumours."

Now, I rather agree that the words proposed in the Committee, and rejected, gave a clearer and fuller statement of the case than the words adopted; but with regard to the sense I do not see that there exists any material difference. The words proposed and rejected in the Committee declare that the Lord Chancellor acted under a mistaken sense of his duty. On the other hand, the Report goes on to say—

> "The Committee have, however, no reason to believe that the Lord Chancellor was influenced by any unworthy or unbecoming motives in thus abstaining from giving any information to the Committee."

There the question rests. The minority say that the Lord Chancellor acted under a mistaken sense of duty; the majority, that there is no reason to believe that he was influenced by unworthy or unbecoming motives. The opinion of both, therefore, is that the Lord Chancellor may have been mistaken in not acquainting the House or the Committee with the facts within his knowledge; but, at the same time, that it amounted only to an error in judgment. Then comes the question now brought forward with regard to the conduct of the Committee to which the petition for a pension was referred. Now, the portion of blame attaching to the Committee seems to be so small—so infinitesimally small—that I think it was hardly worth while to throw even that portion of blame upon them. But your Lordships have not been asked to agree to the Report containing that infinitesimal amount of blame, and assent to every proposition in it. It has been generally approved, as containing an important statement of the case; but your Lordships are not bound by every one of the statements in the Report. I think, moreover, that there would be great inconvenience in adopting a Resolution which seems to assign to Committees of this kind somewhat lower and less responsible duties than they ought to discharge. It is likewise exceedingly inconvenient that when an impartially constituted Committee has made a Report Resolutions should be passed condemning it, and opposing part of that Report. As I said before, I cannot think that any one believes that much blame attaches to the Pension Committee, though it would have been better if there had been some delay, and if they had waited some few days to see whether any facts were brought before them bearing on the conduct of Mr. Edmunds. No one, however, is disposed seriously to blame them; and with regard to the Chairman of Committees everybody recognizes his ability. But they were placed in a most unfortunate position, and it would be unfair to cast any great amount of blame upon them. There is one point further to which I wish to refer. The noble Lord who brought this subject forward told us that the Report of the Pension Committee was laid on the table of the House; and the noble Viscount who formerly presided over the other House, (Viscount Eversley), contrasted the mode of transacting business there and in your Lordships' House. Now, I think it is to be regretted that the mode of conducting business in this House is not so regular or so public as that of the other House. Reports of this kind may be laid on the table, but those Members of the House who do not read your Lordships' Minutes do not find out what takes place in this respect. That is what occurred in the present instance. The Report of Committee recommending the pension was never printed. It was presented without attracting attention, and escaped my attention or the attention of the Government in general. Now, in the other House of Parliament the Report of such a Committee would have been laid on the table, it would have been printed, the House would have had all the necessary information before it, the assent of the House to the Report would then have been moved, and we should have given our reasons for assenting or disagreeing. We should not then have been placed in the unpleasant position of having passed a vote for a pension which we are now to be called on to rescind; and, among other morals to be learnt from this case, I think we should bear in mind this—that the business of this House ought to be conducted in a manner more resembling that of the other House of Parliament.

THE MARQUESS OF BATH said, as a Member of the Pension Committee, he did not rise to defend the Members of that Committee, but to lay before their Lordships a few facts, which would help them to come to a decision upon the subject. The whole question really turned upon this, Was the case referred to the Committee an ordinary case, or was it referred under such special circumstances as would require an extraordinary inquiry on their part? If it was an ordinary inquiry, the duty of the Committee would simply consist in investigating the length of Mr. Edmunds' services, and the amount of pension to which he was entitled. Under these circumstances, therefore, no blame would attach to the Committee. The President of the Council, however, said there were special circumstances in the case that required special investigation. What were they? The special circumstances consisted of rumours of the very vaguest description. Anybody who knew anything of business knew how dangerous it was to take notice of rumours, especially when they affected the character of individuals. Even in a small society you had no right to say anything against a man's character unless you were in some way or other prepared to prove the truth of what you said. Now he had heard as long ago as Christmas that Mr. Edmunds, being rather a stupid, indolent man, had got his affairs in the Patent Office into some confusion; that there was no dishonesty, but that he had kept with his bankers a private, or a separate account, connected with his public office, and had not complied with the strict letter of the law in paying the money into the Treasury. At the same time, the report was that an unfair advantage was being taken of Mr. Edmunds' negligence in this respect for the purpose of forcing him out of his office. Until he (the Marquess of Bath) came up to London in February he heard nothing further on the subject, and then the rumour reached him that Mr. Edmunds had resigned his appointments in the Patent Office; that he had been harshly treated; that a violent Report had been drawn up against him; but that he had a complete answer to the charges, which answer had been sent in. Now had he (the Marquess of Bath) been asked before entering the Committee what he was going to do there, he should have said that he was going to do his best to prevent an oppressed man from being oppressed still further. Nor was that altogether unreasonable, for he knew that the Government were forcing the man to retire, and the noble and learned Lord on the Woolsack was expressly mentioned as having obliged Mr. Edmunds to resign not only his position in the Patent Office, but also his office in that House. If there was any truth in the report of Mr. Edmunds' misconduct, he felt that the noble and learned Lord was in full possession of all the facts connected with the case. He supposed, therefore, that there was not any circumstance which should have disentitled Mr. Edmunds to receive a pension, otherwise that the noble and learned Lord would have communicated it to the House when he proposed to refer the petition to a Committee. Then there were two Members of the Government upon the Committee, but they did not attend. The noble and learned Lord on the Woolsack had good reason for not doing so, for he had appeals to hear in that House. Neither was the Lord President able to attend. But, then, it was in the power of the noble and learned Lord to send a message to any Member of the Committee, and the mere mention of the real circumstances would have been sufficient to stop the whole proceedings. The noble Lord the President of the Council found fault with the Committee not for not having inquired, but for not having delayed their decision; but if the noble Lord would reconsider his argument he will see how untenable it is. If the Committee had not been guilty of any dereliction of duty in not inquiring their delaying their Report would have been far more objectionable, for the delay under the rumours then afloat would have been an unjust condemnation of Mr. Edmunds' conduct by giving a sanction to them without proper

inquiry. If any one believed the truth of those reports, he would have been justified in inquiring, but if he did not believe them he would not have been justified in delaying the decision. The noble Lord stated that the matter was the subject of conversation in the Committee-room, just as if noble Lords had spoken about it around the Committee table. But he could assure the noble Lord that such was not the case. He did speak to two noble Lords on the subject, but it certainly gave rise to no general conversation. The noble Lord the Chairman of Committees had been entirely misunderstood by the noble Earl, notwithstanding his clear statement of facts that evening. The noble Lord never suggested delay for the purpose of inquiry. What he said was this, "This is a financial question which though not now subject to the Treasury may afterwards become so, if the Fee Fund is not sufficient. It is always a good thing, therefore, to have some Member of the Government, some one who may make representations to the Treasury;" and therefore the noble Lord delayed the proceedings for some time in order to have the attendance of some Member of the Government. Now, with regard to consulting precedents as to the practice of the Treasury, the Committee had some conversation on the subject, and they were told what the Treasury usually did upon such occasions; they preferred, however, to be guided by their own precedents, as the case of Mr. Birch and others, which Sir John Lefevre had carefully collected in a book which was submitted to the Committee, and accordingly they took about the average which they found the House had been in the habit of giving since 1838 as the amount of pension to be awarded. The pension was a little less than it would have been in another case, because Mr. Edmunds had no house in addition to his annual income. Now, if the Committee were liable to blame for the Report which they had made, the whole House was liable to blame for having adopted it. The Report was drawn up on the information which the Committee possessed, and the rumours which the Committee had heard, had been heard also by noble Lords in that House. He had not heard those rumours in Committee, he had heard them in their Lordships' House. It was in the power of any noble Lord to have looked into the notices of the House to have seen what Resolutions had been come to upon the

Report of the Committee, and finding no record of any, to have taken occasion to prevent the adoption of the Report. Seven days elapsed from the presentation of the Report until it was adopted, and therefore noble Lords who had not taken the course which he had sketched out, were as liable to censure as the Committee. The real fact was that the Committee was made a scapegoat to save certain Members of the Government. The Committee were comparatively powerless, while the Government were a powerful body. If the Committee were not in fault, the Government clearly were. Either the noble and learned Lord or some Member of the Government ought to have risen in his place and stopped the granting of the pension, and that the Government easily could have done, had they chosen to do it.

THE EARL OF HARROWBY advised the noble Lord to move the Previous Question. There was one point, however, which did not appear to have been clearly explained to the House. The noble Earl (Earl Russell) had informed the House that when the Lord Chancellor presented the petition to the House the Members of the Cabinet knew nothing about it; but he could not understand why it was when the Cabinet knew of Mr. Edmunds' defalcations they did not come forward and do that which the noble Earl had said would have been the course they would have adopted if they had been consulted on granting him his pension.

THE DUKE OF SOMERSET said, he knew nothing more about the affair than what had been stated by the noble and learned Lord on the Woolsack—namely, that there had been defalcations on the part of Mr. Edmunds, and that when the matter had been laid before the Law Officers of the Crown, they were of opinion that there was no case for a criminal prosecution. Beyond these facts he knew nothing whatever.

THE EARL OF HARROWBY had understood the noble Earl to state what would have been the course the Cabinet would have taken had they been consulted as to the granting of the pension.

EARL RUSSELL said, that the question for the Cabinet to consider was whether Mr. Edmunds could maintain his place in that House. If the Cabinet had been consulted on the policy of granting a pension they would only have agreed to such a measure, on condition that all the papers and documents connected with the matter should first be laid on the table for the information of Parliament.

LORD CHELMSFORD: The noble Duke has stated that the Law Officers of the Crown were of opinion that no proceedings could be instituted against Mr. Leonard Edmunds. On the contrary, he found by the Report that on the 9th of February, only five days before the petition was presented, the opinion of the Law Officers of the Crown was—

> "That under the Acts 2 & 3 *Will.* IV. c. 4, s. 1 to 5 (as to Acts done before the 31st of October, 1861), and 24 & 25 *Vict.* c. 96, s. 70 (as to Acts done since that date), criminal proceedings may be taken against Mr. Edmunds."

And they then go on to say—

> "That having regard to the facts which they state, and to the circumstances attending and subsequent to the resignation of Mr. Edmunds of his Office of Clerk of the Patents and Clerk to the Commissioners, and particularly to the terms of Mr. Hamilton's letter to Mr. Edmunds of the 22nd of September, 1864, [that is the letter authorizing the receipt of the money] (in which he was treated rather as a debtor than as a criminal), we are not prepared to advise that criminal proceedings should be taken in this case."

LORD REDESDALE in reply, said, he had to offer his thanks to their Lordships for the manner in which he had personally been spoken of in this discussion. He agreed with the noble Marquess (the Marquess of Bath) that if the Committee had delayed to make their Report they would have been giving countenance to rumours upon which they would not have been justified in acting and have passed a tacit censure upon Mr. Edmunds. If the Members of the Cabinet did not consider themselves justified in acting on what they knew, still less could the Committee have done so on rumour. He could not but remain of opinion that the Parliament Office Committee were justified in the course they took, and that the only question they had to consider was the amount of the pension that ought to be granted to an old officer of the House. After the debate which had taken place he was willing to accept the proposal that had been made, that these Resolutions should pass away without being put to their Lordships as he had no wish to press the House to censure the Report of the Select Committee of which he complained, which would be the consequence of the adoption of his Resolutions. He was quite satisfied with what had taken place, so far as he was personally concerned, and he thought that the House and the public must now acknowledge, that the Parliament Office Committee were justified in the course they took upon the information before them, and that whatever blame attaches to the grant of a pension to Mr. Edmunds it does not rest on them.

And a Question being stated thereupon, the previous Question was put, Whether the said Question shall be now put? It was *Resolved* in the *Negative.*

LEONARD EDMUNDS, ESQ.
RESIGNATION OF CERTAIN OFFICES.
PETITION.

Lord WYNFORD said, he held in his hand a petition from Mr. Leonard Edmunds which he had been asked to present to their Lordships. The petitioner stated that he had read in the newspapers of that morning the notice given by Earl Granville on the previous night of his intention to move to rescind the Resolution of the House of the 24th of February, in so far as related to the recommendation of the Committee as to his (the petitioner's) retiring pension of £800 per annum. The petitioner stated that he had observed the said notice with deep concern and surprise, having had no notice of the intention of the noble Earl, and that he was unprepared on so short a notice to take steps for the preparation of his defence. He begged to represent to their Lordships that throughout these proceedings he had not been allowed to have the assistance of counsel; that under the advice of friends he had given every assistance in his power in conducting the investigation of the whole matter in question, and that he had had arrayed against him in every inquiry that had taken place the most distinguished legal and other professional talent, whereby the petitioner's case had been prejudiced in the most material degree. The petitioner proceeded to draw their Lordships' attention to the unfortunate position in which he had been placed in having no professional guidance and advice against the distinguished talent arrayed against him. He drew the attention of their Lordships to his service during seventeen years at their Lordships' table, and during thirteen years in the Parliamentary Office of Clerk of the Crown. The Lord Chancellor, in a postscript cited in the Report, said of him—

> "I can with truth certify that Mr. E. has properly discharged all the duties of the offices he holds in the House of Lords,"

Finally, the petitioner recapitulated the great hardship of his case, representing that he had stated to the best of his knowledge and ability everything that could throw light on the subject, and that he had made admissions which he had been informed might have been legally refused; and he now threw himself on the mercy of their Lordships' House, praying their Lordships to postpone the Motion for rescinding the said Resolution for a reasonable time, in order either to permit the petitioner to be heard by his counsel at the Bar of their Lordships' House, or before a Select Committee of their Lordships, as the House might think fit. He (Lord Wynford) had consented to present the petition, and would only add that the greater part of the Report and evidence could scarcely yet have been perused by their Lordships, and that they were therefore not yet in a position to pass that judgment upon Mr. Edmunds which the noble Earl had given notice of his intention to do. He hoped the House would temper justice with mercy, and whatever the errors of this gentleman, at least he had withheld no information from the Committee that it was in his power to give; and, as he stated in his petition, he had made admissions which, if he had enjoyed the advantage of legal advisers, they would scarcely have counselled him to do.

Petition of Leonard Edmunds—

> "For postponement to a reasonable Time of the Motion to rescind the Resolution of the House of the 24th February agreeing to the Report of the Committee on the Office of the Clerk of the Parliaments and Office of Gentleman Usher of the Black Rod made on the 17th February, so far as relates to the Recommendation of the said Committee that a retiring Provision of £800 per Annum should be allowed to the Petitioner, and to be heard by Counsel and Agents at the Bar of this House, or before the Parliament Office Committee, or any other Committee in support of the said Resolution."

Read, and Ordered to lie on the Table.

LEONARD EDMUNDS, ESQ.
RESIGNATION OF CERTAIN OFFICES, AND ON THE PENSION GRANTED TO HIM BY THIS HOUSE.

Earl GRANVILLE: My Lords, anxious as I am to pay every attention to the request of a gentleman in the unfortunate position in which Mr. Leonard Edmunds stands, I cannot ask your Lordships to sanction any further delay in this matter in order that he may be heard by counsel. A request that he might have the benefit of legal assistance was, in fact, made to the Committee; but after the application had been entertained, and a disposition shown to accede to it, the request was withdrawn by Mr. Edmunds. If I were now to accede to this Motion I should be countenancing the belief that the facts might readily be changed if professional assistance were obtained. I feel that in this matter I have a most painful duty to perform; and the noble Lord, in the request which has just been made, no doubt is somewhat under the influence of those feelings which, more or less, have been shared by all persons since this unfortunate matter was first mentioned. In the Committee it was proposed by the noble Duke behind me (the Duke of Somerset) that a recommendation to the House to re-consider their grant of a pension should be included in the Report. The majority voted against that proposal, on the ground mainly that it did not properly form part of their business to make such a recommendation. [The Earl of DERBY: Hear, hear!] But I did not understand them in any way to offer an opinion as to the expediency of continuing or revoking the pension itself. For my own part, I am afraid that, however much we re-consider the subject, there can be but one possible issue. Upon many of the charges brought against Mr. Edmunds the Committee declined to offer any opinion whatever; but two upon which they did pronounce distinct findings were the second and third charges. The second charge preferred against Mr. Edmunds was—

"For having improperly retained in his hands or under his control, between the 9th of August, 1852, and the month of July, 1864, without duly paying the same over into Her Majesty's Exchequer, divers large sums of money received by him for fees on Patents, which ought to have been from time to time, during that period, paid by him into Her Majesty's Exchequer."

The Committee say, "there can be no doubt that the second charge is fully proved against Mr. Edmunds." The third charge was—

"For having from time to time improperly caused to be transferred to the credit of his private account with Messrs. Coutts and Co., bankers, from a separate account kept by him with the same bankers for the public purposes of Her Majesty's Patent Office, and having applied to his own use, divers sums of public money for which he was accountable to Her Majesty."

The Committee, recapitulating the facts, say they "cannot hesitate to come to the conclusion that the third charge is completely established against Mr. Edmunds." My answer, therefore, to the appeal of the noble Lord opposite (Lord Wynford) rests entirely upon these two points. Both the Commissioners who originally investigated the circumstances and the Committee of Inquiry of the House of Lords arrived at the conclusion that Mr. Edmunds had been guilty of embezzlement—a finding which was corroborated by his own admissions. I wish to say as little as possible to aggravate the charges against that unfortunate gentleman. But, however, much I regret the step which it is my duty to take—particularly in the case of a gentleman with whom for many years we have all held friendly communication at the table of this House and in Committee-rooms upstairs—yet, for the sake of public morality, for the sake of other and meritorious public servants, and for the sake of the honour of this House, it is necessary that we should at once rescind the Resolution by which, under the circumstances already described, a pension of £800 a year was granted to Leonard Edmunds.

Moved to rescind the Resolution of the House of the 24th February agreeing to the Report of the Committee on the Office of the Clerk of the Parliaments and Office of Gentleman Usher of the Black Rod made on the 17th February, so far as relates to the Recommendation of the said Committe that a retiring Provision of £800 per Annum should be allowed to Leonard Edmunds, Esquire.—(*The Lord President.*)

LORD REDESDALE: I can only have one feeling upon this subject, in common with the rest of your Lordships. But I confess when an old servant of the House in the position of Mr. Edmunds prays the House of Lords that he may be heard before his case is finally decided upon, it seems rather a strong measure to reject absolutely the prayer of that petition. I do not wish to say anything as to the Committee, but simply as to the course which their inquiry assumed. It seems that Mr. Edmunds was examined and put in the position of giving evidence against himself, becoming thereby his own accuser. Where so much was heard against him it does seem remarkable that something — whatever is capable of being urged — should not now be put forward on his behalf. He has practically been condemned unheard on the charges brought against him; while in a criminal court, even if the verdict went against him, he would still have had the benefit in public estimation of all that counsel could urge in his favour. Under the circumstances, therefore, when a man prays to be heard on a matter deeply affecting himself, the House of Lords will be taking a step that is unusual if they refuse to comply with his petition. It was true that Mr. Edmunds' request to be heard by counsel was acceded to, but it was coupled with a condition which would have rendered it nugatory, for the extent of the professional assistance which the Committee were willing to allow him precluded his counsel from putting any question directly to the witnesses, or from making any address to the tribunal—advantages which the meanest criminal would enjoy before a petty jury. I am always anxious that the proceedings of this House should be conducted according to what appears to be the strictest justice, and therefore I trust the House will not reject a petition praying to be heard. At best it can but involve a delay of a very few days; the matter might, in fact, be entertained to-morrow or next day if the House saw fit to do so.

The Earl of DONOUGHMORE: I rise, with great unwillingness, to oppose the suggestion of the noble Lord. But I doubt whether it would really be an act of mercy towards Mr. Edmunds to grant his petition, for there can be little doubt on the mind of any noble Lord familiar with the evidence as to the result of any further investigation, whether Mr. Edmunds enjoys the benefit of professional advice or not. A great deal of time and attention has been already devoted to the consideration of the case in all its bearings. Every question that could be suggested in the interest of Mr. Edmunds was put. If there had been any points capable of being raised in his favour, I venture to say that there would have been every desire on the part of the Committee to elicit them. But this House is in possession of the Report of the Committee; and I say that if this House is to maintain the character which it has hitherto held, and ought always to enjoy in public estimation, there is but one course for it to pursue, and that is to rescind the Resolution granting the pension, whatever may be the legal mode of doing so. I should state that in Committee I voted against the recommendation to that effect proposed by the noble Duke, and I did so upon these grounds:—First, I doubted whether the Order of Reference was sufficiently wide for us to entertain the point; and, next, I believed that the opinion we had already expressed in the Report, to the effect that the original Committee, if they had had the facts before them, would probably not have granted the pension, was in itself sufficiently strong. I had a third reason, which was, that I really did not know what was the proper legal course to pursue in a case where it was sought to revoke a pension regularly granted by the House upon the recommendation of the proper Committee. I hope the noble Earl (Earl Granville) has taken legal advice upon this matter, and is certain that the course he now asks us to adopt is the right one.

Lord TAUNTON said, he also had voted in Committee against a recommendation to withdraw the pension, feeling confident that the House would do justice to its own character in such a matter. There could not be the least doubt that under the circumstances it was impossible for this unfortunate gentleman to remain in possession of a pension the receipt of which was in itself a certificate of honourable service.

Earl GRANVILLE stated that he had conferred with and taken the opinion of two noble and learned Lords in that House, and their opinion was that it was in the power of the House to rescind their Resolution, and that sufficient cause had been shown for so doing.

The Marquess of BATH would venture to ask the House, for the sake of its own honour, and that it might stand well before the public, to pause before it gave its assent to the Resolution. Mr. Edmunds, it should be recollected, was not the only person whose acts and conduct were animadverted upon in the Report of the Committee. They had only had the Report and evidence before them forty-eight hours—except the Members of the Committee—and that was a short time to determine on the evidence what course ought to be pursued; and although he entertained no doubt that the grant of the pension to him ought to be rescinded, yet it would be unfair to refuse to him that opportunity of being heard, and for which he prayed, which was not denied to the commonest criminal. The character of the House would, he thought, suffer in the estimation of the country if an impression were created that a friendless and ruined man was thus dealt with, while others in a more exalted position were allowed to pass with comparative impunity.

Lord REDESDALE wished some noble

and learned Lord would inform the House whether, when a petition was presented on behalf of an individual praying to be heard, as in the present instance, he was not entitled to have his prayer granted.

Lord CRANWORTH said, he was the only learned Lord in the House who had not taken any part in these proceedings. Of course, as an abstract proposition, if any accused person desired to be heard in his defence, it was not a question for a lawyer but a question of common fairness whether he ought not to be heard. The question before the House, however, was not whether Mr. Edmunds was, as an abstract proposition, entitled to be heard, but whether, having appeared before the Committee, he was entitled to be heard again. Having been, when he held the office of Lord Chancellor, in frequent communication with that gentleman, he could truly say that it was to him most painful to mix himself up in any way with the matter; but then he felt bound, in answer to the question of the noble Lord, to give it as his opinion that justice did not require that Mr. Edmunds should be heard any further.

Motion *agreed to.*

House adjourned at Nine o'clock,
till Thursday next, half
past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 9, 1865.

MINUTES.]—New Member Sworn — James Clarke Lawrence, esquire, *for* Lambeth.

Select Committee—On Mines *appointed*; *nominated* May 29.

Public Bills — *Ordered* — Local Government Supplemental (No. 4).*

First Reading—Customs and Inland Revenue* [129]; Pier and Harbour Orders Confirmation* [130]; Pilotage Order Confirmation* [131]; Local Government Supplemental (No. 4)* [132]; Colonial Governors (Retiring Pensions)* [133]; Forfeiture for Treason and Felony* [134].

Withdrawn—Insolvent Debtors* [24].

INDIAN OFFICERS.—ANSWER TO ADDRESS.

Lord Proby (Comptroller of Her Majesty's Household) appeared at the Bar, bearing the Answer from Her Majesty to an Address of the House—

Answer to Address [2nd May] *reported* as follows:—

"*I have received your Address, praying for the Redress of all such Grievances complained of by the Officers of the late Indian Armies, as were admitted by the 'Commission on the Memorials of Indian Officers' to have arisen by a departure from the Assurances given by Parliament.*

"*I will give directions for an Inquiry into the effect of the Measures which have already been adopted for this purpose, and if it should be shown that ample Redress has not been afforded by them, I will direct such further steps to be taken as may be required.*"

CHAIN CABLES AND ANCHORS.

QUESTION.

Mr. LAIRD said, he would beg to ask the President of the Board of Trade the following question respecting the Report made by Messrs. Robert Galloway and Thomas Gray, the officers of that Department, as to the mode of working out the Chain Cables and Anchors Act of 1864, copy of which Report was laid upon the table of the House on the 8th day of March, 1865, and which contains the following paragraph (No 13):—

> "The great majority of chain makers also object strongly to any maker being allowed to test his own cables for the purposes of giving a certificate of public proof; and many makers, who intend to go to the expense of making their machines perfect, have expressed their determination not to take out a licence, but to have all their work tested at a public machine:"

namely, Whether any, and how many, makers of chain cables and anchors had applied to the Board of Trade for a licence to test cables and anchors under the Act of 1864, which comes into operation on the 1st day of July next; also, whether, in case any such applications have been made, it is the intention of the Board of Trade to grant licences to manufacturers, not only to test but to affix the public proof stamp, as required by the Act, on anchors and cables manufactured by themselves.

Mr. MILNER GIBSON said, in reply, that the power of the Board of Trade, under the Chain Cables and Anchors Acts was simply to give effect to the provision, of that Act, and if any person applied for a licence for a testing machine, all that was necessary was that the Government Inspector should report that the machine was a proper one, and able to test the strength of the anchors and chains.

The Board had no power to ascertain whether the person applying for a licence was the manufacturer or not. Applications had been received from three manufacturers. One of these was from Messrs. Brown, Lenox, and Co. Their machine was found to be perfectly sound in principle, and after some little matters of detail had been attended to, the licence was granted. But Messrs. Lloyds had been found so seriously defective that the Board had not yet determined whether a licence should be granted or not. In all probability the machine would be altered in accordance with certain requirements made by the Inspector.

ARMY—PROMOTION IN RIFLE CORPS.

QUESTION.

Colonel SYKES said, he rose to ask the Under Secretary of State for War, Whether a Letter, dated Aberdeen, the 17th February, 1865, and signed by five Captains, four Lieutenants, and two Ensigns of the 1st Aberdeenshire Volunteer Rifle Corps, against the appointment of Lieutenant William Jopp, a supernumerary Lieutenant in the 10th Aberdeenshire or Inverary Rifle Corps of Volunteers, to a Majority in the 1st Aberdeenshire Rifle Corps, has been received at the War Office; and whether the Secretary of State for War has approved the supersession of the Captains of the Regiment?

The Marquess of HARTINGTON said, in reply, that the letter referred to by his hon. and gallant Friend was received at the War Office and returned to the senior officer in command of the Corps with a notification that everything respecting the subject must be forwarded to the War Office through the lord-lieutenant of the county. It was irregular and contrary to the discipline of the Volunteer Force that any such representation, or, indeed, any collective representation at all bearing upon the discipline of a Corps, should be made. If the letter in question, therefore, had reached the Secretary of State through the proper channel, it would have been their duty at the War Office to point out to the lord-lieutenant the irregularity of the course adopted. With regard to the latter portion of the Question of the hon. and gallant Gentleman, he had only to state that the appointment was recommended by the lord-lieutenant, and was accordingly approved by the Secretary of State.

CASE OF CONSTANCE KENT.

QUESTION.

Mr. WHALLEY said, he would beg to ask the Secretary of State for the Home Department, with reference to the proceedings against Constance E. Kent and the refusal of the Reverend A. D. Wagner, Perpetual Curate of St. Paul's, Brighton; and also of a person calling herself Superioress of St. Mary Hospital, an Institution attached to that Church, to give evidence of certain facts on the ground that the same became known to the said Reverend A. D. Wagner "under the seal of confession;" and to the said Superioress under some like pretence—Whether the Government will introduce any Bill this Session for the purpose of preventing such persons as the Reverend A. D. Wagner from officiating as clergymen of the Church of England and receiving the emoluments thereof; and whether the Magistrate was justified in allowing the said Reverend A. D. Wagner and the said Superioress to refuse to give evidence on such grounds?

Sir GEORGE GREY said, in reply, that Her Majesty's Government had no intention of proposing to Parliament any Bill of the kind referred to by the hon. Member. The case to which the Question referred was one which was heard before a full bench of magistrates, and he was not aware that the magistrates did allow any witness examined before them to refuse to answer any questions which they believed to be material to the ends of justice. They received sufficient evidence to justify the committal of the prisoner for trial. If at the trial any witness refused to answer questions, the Judge who presided would deal with the case according to his discretion.

Mr. WHALLEY said, he would give notice that he should at an early day call attention to the subject on the Motion for going into Committee of Supply.

ARMY—ARMSTRONG AND WHITWORTH GUNS.—QUESTION.

Mr. H. BAILLIE said, he wished to ask the Under Secretary of State for War, Whether the Special Committee upon Armstrong and Whitworth Guns has made any Report in reference to the 12-pounders; and, if so, whether, he has any objection to lay it upon the table of the House?

The Marquess of HARTINGTON said, in reply, that the first part of the

Report of the Special Committee, which related chiefly to the 12-pounders, had been received, and the remaining portion would be shortly in their possession. As soon as the whole of the Report had been received he would lay it upon the table of the House; but in its present incomplete state he must decline to do so.

THE BANKRUPTCY LAWS.

QUESTION.

Mr. PAULL said, he would beg to ask Mr. Attorney General, Whether it is the intention of Her Majesty's Government, at the earliest possible period, to submit to Parliament a measure for the Amendment and consolidation of the Bankruptcy Laws; and, if so, whether such measure will provide for the abolition of the power of imprisonment of debtors, to compel the payment of money under any judgment or order of any Court, including County Courts and other Courts for the recovery of small debts?

The ATTORNEY GENERAL said, in reply, that it undoubtedly was the intention of Her Majesty's Government, at the earliest period at which it could possibly be done consistent with the due attention which so important a subject deserved, to submit a measure for the Amendment and consolidation of the Bankruptcy Laws. As he had previously stated, it was not likely that this would be done this Session. With regard to the question whether such a measure would provide for the abolition of the power of imprisonment of debtors, and compel the payment of money under any judgment or order of any Court, the hon. Member was aware that the Committee had recommended generally the total abolition of the power of imprisonment for debt. That subject would therefore be considered by the Government with all the authority which the recommendations of the Committee could give it, but it was not in his power to anticipate the final decision of the Government any more on that than on the other recommendations of the Committee. He had no reason to doubt that there would be a desire to give effect to the recommendations of the Committee, provided no difficulties should arise to prevent those recommendations from being carried out.

Mr. HEYGATE said, he would beg to ask the hon. Member for St. Ives whether he intends under these circumstances to proceed with his Insolvent Debtors Bill?

Mr. PAULL said, that after the answer given by the hon. and learned Gentleman he should take immediate steps to discharge the Order.

THE ELECTION FOR THE UNIVERSITY OF OXFORD.—QUESTION.

Sir ROBERT CLIFTON said, he would beg to ask the First Lord of the Treasury, Whether the notification issued by a Committee at Oxford promoting the re-election of a prominent Member of Her Majesty's Government that the Election will take place in the second week in July next, has been made on the authority of any Member of Her Majesty's Government?

The CHANCELLOR of the EXCHEQUER said, that in answering the Question he would first of all thank the hon. Baronet for designating him as "a prominent Member of Her Majesty's Government," for he presumed that it was himself to whom the hon. Baronet alluded. He had not received the notification referred to by the hon. Baronet, and he was not quite certain that he was acquainted with its terms. He was not aware, and he believed that his noble Friend at the head of the Government was not aware, that it meant anything more than an expression of that speculation upon the subject which generally prevailed. He believed that it did not rest upon the authority of any Member of the Government, and certainly not upon the authority of the "prominent Member of Her Majesty's Government" alluded to by the hon. Baronet.

INDIA—IRRIGATION WORKS.

QUESTION.

Mr. LIDDELL said, he would beg to ask the Secretary of State for India, Whether there is any objection to lay upon the table of the House a Copy of his own Despatch of 8th August last, and of the Minute of Lieut.-Col. Strachey, late Secretary of Public Works, upon the policy of the Government undertaking the construction of the necessary Irrigation Works in India, in preference to intrusting their construction to private companies?

Sir CHARLES WOOD, in reply, said, the Minute to which the hon. Gentleman referred had been received, but it had not yet been answered, and it was not usual to produce such documents before they had been answered. When the answer had been sent there would be no objection to the production of the Minute.

AZEEM JAH (SIGNATURES TO PETITIONS)—COMMITTEE.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [8th May],

"That George Morris Mitchell, having fabricated signatures to several Petitions presented to this House, and having knowingly procured other fabricated signatures to such Petitions, has been guilty of a breach of the privileges of this House." —(*Mr. Charles Forster.*)

And which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "the Report of the Committee be re-committed to the said Committee,"—(*Lord Robert Cecil,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

THE ATTORNEY GENERAL, in moving the Order of the Day for the resumption of the adjourned debate, said, that he wished to state to the House what he considered the wisest and safest mode of proceeding. Since the discussion of the previous evening he had endeavoured to make himself master of all the facts connected with the Report of the Committee, with a view to tender his advice to the House as to the course which they should pursue. The question was whether a resolution should be adopted with a view to commit to prison a person who was said to have been guilty of a gross breach of the privileges of the House, and he had no hesitation in saying that having regard to the gravity of the offence the Motion of the Chairman of the Committee was a right and proper one. The question under consideration was whether the resolution proposed by the Chairman of the Committee should be adopted, or the Amendment of the noble Lord the Member for Stamford (Lord Robert Cecil) who desired to have the matter referred back to the Committee. The Motion was made under peculiar circumstances, and the case had been somewhat altered by the presentation of a petition from Mitchell complaining that the Committee had not afforded him a sufficient opportunity of defending himself—that the evidence of Mr. Netherclift was unfounded, and that he was prepared to refute it on oath and by witnesses, but that he had had no opportunity of doing so. The House ought not to entertain too easily petitions from inculpated parties impugning the decisions of Committees, and in this case, having read with great care the proceedings of the Committee, he felt quite certain that they intended to do complete justice to Mitchell. The Report contained two statements, first, that a gross and audacious breach of privilege had been committed by the forgery of various names, and amongst others the names of officers of the House; that the petitions passed through the hands of Mitchell, were got up by him and by persons employed by him, and that neither he nor they had given any satisfactory account of the matter. To that extent the finding of the Committee was fully warranted by the evidence which Mitchell had the most complete opportunity of meeting, but which he deliberately abstained from meeting. If the case had rested there there was no reason whatever why the House should hesitate. But the Committee went on to find secondly, that Mitchell had been guilty of the offence of fabricating many of the signatures to those petitions, and that two other persons acting in concert with him had been guilty of the like offence. This was a most important addition to the finding, and if the House thought it more satisfactory to give Mitchell an opportunity of producing further evidence on that subject, his impression was that the House would not like to proceed to extremities without doing so. One of the witnesses, Mr. Graham, proved that his name was forged, and Mitchell admitted that he had written his name. Mr. Graham said he had given Mitchell no authority to do so. Mitchell said that he had received Mr. Graham's authority to do so. Mitchell was not in the room when Mr. Graham gave his evidence, and was consequently not then in a position to contradict his evidence, but Mitchell was informed of the fact, and on being asked by the hon. Member for the King's County (Mr. Hennessy) if he should like to be confronted with Mr. Graham said that he should : but he had not of his own accord taken any steps for that purpose. Mr. Netherclift an expert pointed out several signatures which he said were in Mitchell's handwriting, which Mitchell denied. Evidence was given by Mitchell and his two accomplices to show that Mr. Netherclift had mistaken his handwriting. The Committee had a right to form their own judgment upon the evidence; but as there was just a possibility of doubt, perhaps the House would wish to grant an opportunity for further proof. The hon. Member for the King's County had desired Mr. Netherclift to make a list of the names which he believed to have been written by Mitchell, and the hon. Member then asked Mitchell whether he would like to see that list, and call the persons whose names were mentioned in it, to which an affirmative reply was given. The Committee, however, did not think themselves bound, under the circumstances as they then stood, to act upon that, believing as they did, judging from his conduct throughout, that Mitchell was really playing with them. Mitchell knew perfectly well before the inquiry commenced the nature of the charge which would be brought against him. He did not appear, and the Committee ordered him to be summoned, but he could not be found at the address he had given. He was, however, at last met and served with the notice, but he did not attend that day. When Mitchell did attend he had the opportunity of cross-examining witnesses, but he played with them in the cross-examination in a manner certainly not calculated to produce the impression that he was *bonâ fide* defending himself from the charges brought against him; and when, answering the question put into his mouth by a member of the Committee, he expressed a desire to call witnesses, the Committee were led to the belief that he was trifling with them, as he had been before. Besides the evidence of Mr. Netherclift and Mr. Graham, the Committee had also the evidence of their own eyes, and if the question now were merely whether their Report was one that the House might accept on matters of fact, he did not know whether any further inquiry would be necessary. He mentioned this to vindicate the Committee, who did not believe that Mitchell had any more evidence or wanted to give any; but it had become now a question of personal liberty. He should therefore propose, and he hoped it would meet with the approval of the House and receive the acquiescence of the Committee, to adopt the Amendment of the noble Lord the Member for Stamford, to refer the matter back to the Committee; adding, however, to the Order of Reference the petition of Mitchell presented to the House.

Mr. CHARLES FORSTER said, he believed that the Committee would be perfectly ready to adopt the suggestion, as it was desirable in a case of this kind, involving penal consequences, to avoid even the least pretext for alleging that injustice had been done. But any one who read the minutes of evidence would see that Mitchell's attention was repeatedly called to the portions of the evidence which bore against him; that he was repeatedly told that the Committee were anxious to hear any explanation he might have to make, and that he did, in fact, cross-examine Mr. Nertherclift and Mr. Strutt very closely. When he was present he was confronted with the witnesses, and when he was absent he was supplied with minutes of the evidence.

Mr. HENNESSY said, he was glad that the suggestion of the noble Lord had been accepted, but regretted that the Attorney General should have thought it necessary, as the Committee were now to re-consider the case, to dwell so strongly on all the points which he thought told against Mitchell. The hon. and learned Gentleman said that twelve or thirteen persons came before the Committee, and stated that their signatures to the petitions were forgeries, and he led the House to believe that these forgeries were committed by Mitchell. [The Attorney General: Some of them.] But the fact was that the expert, Mr. Netherclift, when pressed with regard to the signature of Charles Eales, a clerk of the House, declined to say positively that the writing was Mitchell's, and as to Walmesley, Smith, and the Rev. Mr. Jennings, he said the signatures were not in Mitchell's handwriting. Netherclift was then asked to write down a list of the names which he thought were in Mitchell's handwriting; and not one of those persons whose names he put down as forgeries had been examined before the Committee.

The ATTORNEY GENERAL: The hon. and learned Gentleman is confouning the London and Westminster petitions.

Mr. HENNESSY: Notwithstanding he was on his trial for forgery, leading questions were put to the witnesses in Mitchell's absence, and not only when he was absent, but even when he had absolutely been ordered to withdraw. The only means Netherclift had of knowing the handwriting of Mitchell was by having certain receipts placed in his hand, for he had never seen Mitchell write, and from them he pointed out the characteristics of Mitchell's handwriting. He himself with several other Members noticed the signature to a particular document, in which Mr. Netherclift had pointed out the characteristics of Mitchell's writing as somewhat different to those on the other documents signed with Mitchell's name. Mitchell was called in, and while admitting his signature to those other papers, he said that it was not on that particular document; and he added that, having injured his hand about a month before, he had authorized his clerk to sign his name for him. The clerk was produced, and said that the signature "G. M. Mitchell" to the document was in his handwriting. In that he was corroborated by another witness. After such testimony, if the case was under trial in a court of justice, Mr. Netherclift's evidence would be regarded as gone. That gentleman had contradicted himself, and had broken down on the comparison of handwriting; but he must say that he could perfectly understand an expert having so failed under the circumstances, for the inquiry was hurried, and Mr. Netherclift had not had much opportunity of comparing the writing. With regard to the statement of the Attorney General on the previous evening that Mitchell had evaded service of the summons and attendance on the Committee, it was to be observed that on the Hackney petition Mitchell gave his residence as "28, Weaver Terrace, Hackney, and on the London petition his town direction was "78, Cannon Street, West, City." But the porter of the House, to whom service of the summons had been committed, stated before the Committee that he had inquired for Mitchell in the neighbourhood of Cannon Row, Westminster, in which he could find no such number as 78, as there were but twenty houses in it. It was true Mitchell had obtained information that he was to be in some way implicated; but, so far from running away, he waited upon the Chairman of the Petitions Committee, and said he wished to offer every explanation. The hon. and learned Member for Suffolk, it was said, told the accused "the substance of the evidence," but that would not do in a court of justice. The testimony in support of so serious a charge against a man ought to be sworn testimony, and, though he had the greatest respect for the Petitions Committee, and thought they were quite right in following up the charge, he submitted that ten prosecutors were too many to be on a jury of thirteen. On the Committee of Inquiry in this case ten out of the thirteen members were members of the Petitions Committee also. But the Petitions Committee were conducting this case against Mitchell on behalf of the House. The inquiry which would be most satisfactory to the public in a matter of this nature would be an inquiry conducted by a Committee of five members chosen by the Committee of Selection, and upon sworn testimony. He thought it an omission in their Report that the Committee had not condemned, as a breach of the privileges of the House, the practice of paying agents to procure signatures. He hoped that this discussion would not close without a Resolution declaring it to be a breach of privilege of Parliament to employ agents—no less than forty had been employed in the case—to procure signatures to petitions at a penny for each name.

Mr. DENMAN said, he did not think the House would do any good by going into the evidence in detail, as the case was to go again before the Committee. He had read it all very carefully, and the conclusion he had drawn from it was that the Committee were warranted in the judgment they had come to, so far as Mitchell was concerned; but, looking to the course the matter had taken, he thought it right that further inquiry should be made, so as to give the accused every opportunity of defence that he would have before a court of justice. It was a serious charge against Mr. Mitchell, and the House ought to be very tender in respect of any course which they took on this occasion. But there was, in his judgment, a far more important question which the Committee would yet have to consider. The Report was not an exhaustive one as regarded another person named in the case, and, no doubt, the first application which Mr. Mitchell would make, when the Committee re-assembled, would be for liberty to cross-examine Mr. Strutt. The moment the Committee met again the conduct of Strutt must be re-considered. It was the last request of Mitchell that he should be allowed to re-cross-examine Strutt. Who was Strutt? He was *fons et origo mali.* He employed agents to get signatures at a penny each to petitions intended to influence the House in its decision upon a matter which had reference to private claims and public rights. The Committee in their Report blamed his conduct, but he greatly doubted whether, upon further inquiry, they might not feel bound to visit the conduct of Strutt with something more than mere censure. It was Strutt who held out the temptation, and if Mitchell should be able to establish that these petitions had been altered by him with a guilty knowledge of their character on the part of Strutt, there could be no doubt (however that might affect Mitchell) that Strutt would have been guilty of a still more serious infringement of the privileges of the House. Mitchell, it was perfectly clear, seemed most anxious to have it out with Strutt; he endeavoured to throw upon Strutt all the blame; and his defence (which was not, he must say, a good defence) was that he acted under the instructions of Strutt, a person already censured by Parliament. The Committee, therefore, would be bound to inquire into that allegation. The issue was not solely whether Mitchell was guilty of a breach of privilege, but who were the persons implicated, whether as principals or as accessories. There was much in the evidence to throw suspicion on the conduct of Strutt. The latter, in reply to a question put by the hon. and learned Member for East Suffolk stated that throughout all the earlier portion of the proceedings he had not the slightest reason to suppose that the signatures had been improperly obtained. He stated that he began to suspect the authenticity of the signatures in March, a day or two before the petitions were presented, but that want of time had prevented him from ascertaining whether or not they were genuine. But he wrote a letter to Mitchell on the 31st of January, in which he used the following words:—

> "You must be very careful about the petitions, as the gentleman who has seen them makes some very candid remarks, and I am inclined, from what he says, not to require any more signatures."

What did this mean? Did he, when he afterwards handed those petitions to Mitchell, suspect the signatures to be false, or did he not? It appeared that Strutt, with all this suspicion on his mind, was acting as Mitchell's superior in the matter. It was the language of a man who suspected that the manner in which the signatures had been affixed to the petitions would not bear investigation. Under these circumstances, he (Mr. Denman) hoped that when the matter was referred back to the Committee, they would not consider themselves precluded from investigating the whole case, and that they would inquire into the conduct of Strutt, and that the House would not shrink from punishing him also, if they should think that good ground existed for believing that he was implicated in these fraudulent proceedings. The House must not rest content with crushing the poor fly Mitchell upon the wheel, but should inquire closely into the conduct of Strutt, who, as a solicitor in a good position, ought to be far above the tricks and arts resorted to by poor wretches who obtained signatures at a penny each; and, therefore, if guilty, would be by far the worse delinquent of the two. With respect to Mitchell, he (Mr. Denman) thought that the case against him was very strong, and he appeared, in fact, to endeavour to escape by raising a false issue, and by causing it to be inferred that none of the charges against him should be credited because they had not all been substantiated. But he (Mr. Denman) gladly left the case again in the hands of the Committee, hoping, as he did, that they would inquire into it from beginning to end.

SIR JAMES FERGUSSON said, he was a Member of that Committee, and he wished briefly to defend them from the charges of the hon. and learned Member for the King's County. He was glad that the conduct of the Committee, of which he had been a Member somewhat reluctantly, had been justified by such hon. and learned Gentlemen as the Attorney General and the hon. Member for Tiverton who had just sat down. The letter to Mr. Cole, one of the officers of that House, was identified as being in Mitchell's handwriting by one of Mitchell's own clerks. The Committee throughout the proceedings had been influenced solely by a desire to render impartial justice. Mitchell had endeavoured to evade the Committee by giving an address where he was not known. Unwelcome as the duty would be, he was ready to enter with them again into an investigation of the case, but he hoped that when their labours were concluded they would not again be treated with the same unfairness they had experienced from the hon. and learned Member for Sheffield who, before the evidence could have been known to the House, had compared their conduct to that of the Committee of Public Safety at the time of the French Revolution.

MR. BONHAM CARTER said, that it was, in his opinion, most important that the Members of Committees which had to conduct judicial inquiries such as that now under discussion should attend regularly, and, as far as possible, from hour to hour, and he himself was not absent for five minutes from this Committee. The Committee did not refuse to hear Mitchell, or to allow him every opportunity of defending himself. It had been stated that a great deal of the evidence was not submitted to the person who ultimately fell under the reprobation of the Committee, but it should be remembered that all the earlier proceedings of the inquiry were in the dark. The whole Committee was unanimous about one thing—namely, that forged signatures were attached to certain forms which had been furnished to Mitchell. The evidence of their own eyes was enough to satisfy them that frauds had been committed by several persons, and that Mitchell was one of those who had been concerned in them, and that evidence was confirmed by the testimony of the most distinguished expert who was commonly examined with reference to signatures. He did not think that the hon. Member for the King's County was as good a judge of the evidence as were other Members of the Committee who attended regularly from day to day, and who thus became acquainted with the manner and conduct both of all the witnesses and of the accused. Mitchell had himself been employed as a messenger in the Petitions Office, where it was his duty to inform his superiors of any signatures which appeared to be forged, and he was therefore well aware that it was contrary to the rules of the House that any name should be signed to a petition by any one except the person to whom it belonged. The evidence before the House fully justified the finding of the Committee, and therefore there was no necessity for them to inquire into any other of the nineteen petitions.

Mr. ARTHUR MILLS said, he hoped the discussion would not be longer continued, as he did not see what good end could be obtained by such a course. He trusted that the matter would be speedily disposed of, and that the House would not again be troubled with it.

Mr. Alderman SALOMONS said, he had no desire to prolong the debate, but he did hope that the House would show every possible indulgence to the Committee in order to enable them to come to a satisfactory conclusion upon the subject.

Mr. COX said, that as one of the Committee who dissented from the opinion of the majority, he was glad to see his own opinion upon the subject ratified by the House.

Lord ROBERT CECIL said, he believed it would be more satisfactory if a Committee of five were named by the Committee of Selection for the purpose of deciding upon this case. After the expression of opinion which some of the Members of the Committee had made in that House he was afraid that but little weight would attach to their votes upon the subject.

Mr. W. O. STANLEY said, he was sorry to hear the remarks which the noble Lord had made with reference to the Members of the Committee.

Lord ROBERT CECIL said, he had no intention of casting any imputation upon the Members of the Committee. He had referred particularly to the two hon. Gentlemen who had spoken at length on adverse sides of the question.

Mr. HENNESSY said, he must state to the House that he should respectfully decline again to serve on the Committee.

Amendment, and Motion, by leave, *withdrawn.*

Ordered, That the Report on the Committee on Azeem Jah (Signatures to Petitions) be re-committed to the said Committee.—(*Mr. Attorney General.*)

Petition of George Morris Mitchell [presented 8th May] referred to the Committee.

RAILWAYS—(GUARDS AND PASSENGERS COMMUNICATION.)—RESOLUTION.

Sir WILLIAM GALLWEY, in rising to move a Resolution upon the subject of the communication between guards and passengers on railways, said, he had to complain of the inconvenience which the business of private Members suffered from the introduction at such an hour of debates like the one with which the House has just been engaged. The question was whether this communication was possible or not. He wished to ascertain from the Government whether it was practicable or not to establish direct or indirect communication between passengers and the drivers of trains. Although the Motion which he had placed upon the paper might not—considering the science and mechanical skill in the country—settle the matter with which it dealt once for all, it would at all events tend to its settlement for some time to come. His Motion was sufficiently innocent to disarm all opposition, and the subject was one which any Member might bring before the House with a fair chance of success. Nor was the subject entirely unknown to the House, for he recollected that some years ago it came under their notice under rather curious circumstances, of a somewhat sensational character. Two hon. Members travelling by railway to town, to discharge their Parliamentary duties, saw the roof of their carriage blown away and felt the floor crumbling beneath their feet. The question then was discussed in the House, and he remembered the galaxy of railway luminaries who competed among themselves as to who should first rise and should most protest in favour of a remedy being supplied. Those Gentlemen then declared that they were searching throughout Europe for the proper invention, and that when they had found it the public should have the benefit of it without any limitation as to expense. He put it to the House whether the railway authorities had ever fulfilled that pledge. If they had not done so during the long interval that had elapsed since the former discussion, he thought it would be agreed that it was time for Parliament to take the subject into its own hands if it desired that anything should be done to prevent a recurrence of accidents, which too often occurred. As far as his own observation went he could state that no direct communication existed at present between passengers and the persons in charge of the engine, and there was no means of communication between the passengers and the guard. He was told that in some cases a communication was attempted to be established between the guard and the driver of a train by a cord connected with a bell on the engine, but that was not a certain mode of communication, and even if it were there was little that was new in it, as a guard had always been able to attract the attention of the driver by applying the break. As to communication between the passengers and engine driver, he had seen no attempt to establish it, but upon the great Western line he had seen some solid sentry boxes—of such a strength as might have been directed by the Iron-plate Committee—which were of no use, because they were always untenanted, the company not liking to pay the wages of the look-out men who should occupy them. He had no doubt he should be met with similar arguments to those which were used upon the former occasion, when the right hon. Gentleman opposite (Mr. Milner Gibson) told the House that a Royal Commission was about to be appointed which would consider this subject, and therefore it would be better to wait for their Report before arriving at any decision on the matter. He had known many cases in which three years had elapsed between the appointment of a Royal Commission and the date of its reporting. Surely the right hon. Gentleman would not have the presumption to ask the public to wait for that period before he attempted to apply a simple remedy. He had found that the Order of Reference had been forwarded to the Chambers of Commerce, but not to an agricultural society, though agriculture was as much interested in the question as trade. The right hon. Gentleman well knew that Ministers often did not pay the slightest attention to the Reports of Royal Commissions. He knew a striking instance of that, in which a Commission had reported in favour of a particular harbour of refuge in Yorkshire, yet the Government had completely neglected their recommendation. Certainly the word "safety" was incidentally mentioned in the Order of Reference of the Commission, but that was all. No doubt the representatives of the railway interest would have some objection to make to his Motion. It would be said that this was an interference with railway management, and a division of the responsibility which ought to rest entirely on the shoulders of railway managers. But the law had interfered to regulate the number of passengers that should be carried in stage coaches; it had also interfered with carriers' carts and the like; but that interference had never been held to derogate from the responsibility of their managers. He was convinced that if his Motion were carried it would be the commencement of a new era in railway legislation for the safety of the public. Events which had happened recently on our railways, and which might happen again at any moment, had made this question one of the most pressing urgency, and it was on that ground alone that he had taken it up. The hon. Member concluded by moving—

> "That it is the opinion of this House that the safety of the public requires that, pending the Report of the Royal Commission, some immediate provision should be made for compelling railway companies to make arrangements for establishing a proper communication between guards and passengers."

MR. LEFROY seconded the Motion.

Motion made, and Question proposed,

"That it is the opinion of this House, that the safety of the Public requires that, pending the Report of the Royal Commission, some immediate provision should be made for compelling Railway Companies to make arrangements for establishing a proper communication between Guards and Passengers." — (*Sir William Gallwey.*)

MR. THOMPSON said, that the hon. Baronet had not made any suggestion as to the manner in which his object was to be carried out. He had been discreet enough not to suggest any remedy to the House, although he asserted that a remedy was easy. It certainly would be a very remarkable piece of legislation to inflict pains and penalties upon persons for not doing nobody knew what. However, he would assume that all that the hon. Baronet intended to do was to give expression to a feeling which prevailed extensively out of doors—that the railway companies were doing nothing to remedy an evil universally recognized. He thought, however, that he would be able to show that they had not been neglectful of their duty. A few months ago the Railway Clearing House appointed a Committee, composed of some of the ablest railway managers in the country. The Committee publicly invited tenders of inventions for effecting a communication between railway passengers and engine drivers, and the result was, that 196 inventions were laid before the Committee, and more than half the inventors attended in person to explain their plans. In the Report drawn up by the Committee, attention was directed to what had been done by a former Committee which had inquired into the subject in 1852 and 1853. He might observe that so good were the conclusions arrived at by that former Committee considered to be, that a Railway Commission appointed in France, in consequence of the murder of a Judge in a railway train, had reported that they were sound, and adopted them as the basis of its own recommendations to the Government. That Commission was composed of Members of the Government and the Legislature and eminent engineers, but had on it no gentleman connected with railways. It found that, in all probability, the Judge had owed his death to the footboards, which enabled a person to walk from one end of a train to the other, and thus facilitate the escape of the murderer, and consequently the Commission arrived at the conclusion that a connection by footboards was not one which afforded to passengers any great degree of safety from attack. There was another very great objection to those footboards—namely, the number of deaths which they caused among railway servants. In Belgium, where perhaps they were more used than in any other country, no year passed without some deaths arising from their use. It was but natural, therefore, to conclude tha tif with our more extensive railway system, and more rapid rate of travelling those footboards were attached to our railway carriages, the proportion of deaths would be much larger than it was in Belgium. Railway companies could not expect nor ask their servants to discharge such a dangerous duty as passing along those footboards, and that consideration alone must prevent railway directors from employing what appeared at first sight to be one of the most effective means of communication between the different portions of a train. After the Report of the Committee of 1853 had been adopted, the company of which he was Chairman put the cord system of connection into use on 200 or 300 miles of railway, and had continued to use it; but he could not go further in commending it than to say that, in some very few cases, it might possibly have prevented accidents. The hon. Baronet had spoken of the use of sentry boxes on the trains, and had said that they were frequently untenanted through some miserable economy. But the fact was, in fogs and in tunnels it was impossible to see along a whole train from one of these sentry boxes; but the main reason why having a man stationed in one of these boxes would not be an effectual protection was that, though a man might keep his eyes in a particular direction on every journey, during days, or even weeks, yet, after thousands of trains had run, and millions of miles had been traversed without an accident, the eye would not submit to such a constant strain, apparently without result, and the lookout became careless. Experience showed that this had been the case; and he had no doubt that it would continue to be the case in future. The Committee which had recently considered the subject had reported that none of the means of communication submitted to it were such as could be recommended for general adoption. Under these circumstances it had been arranged that several of the railway companies should continue the experiments which were now in progress to test the best of the various inventions that had been submitted to the Committee, and which had been selected for this especial purpose. He could assure the House that to give passengers the power of communicating with the guard was by no means a simple matter. There would be no use in giving it if the guard was not required to attend to the summons; and in that case a nervous passenger might stop a train in a place where there were no signals, and where a stoppage would be attended with the greatest danger to the whole of the passengers. He trusted that after what he had said with respect to the proceedings of the railway companies the hon. Baronet would withdraw the Motion.

Mr. BAILLIE COCHRANE said, he did not think they could agree to such a Resolution as that proposed, when the hon. Gentleman had not suggested what would be a proper communication between guard and passengers. The hon. Gentleman had been rather severe on the right hon. Gentleman the President of the Board of Trade for the unfeeling way in which he had spoken of the number of lives lost on railways. But he believed that there was a very exaggerated idea in the public mind as to the loss of life on railways. Only the other day he had seen an account of the loss of life in the streets of London during the last year, and it actually exceeded the whole number of lives lost by accidents on the whole of the railways in the kingdom. Last year when Mr. Briggs was unfortunately murdered, he had brought the question before the House. He had received many letters containing suggestions on this subject, but he found that there was only one mode of communication that was satisfactory, and that such a mode was not possible in this country because there was not sufficient space for the guards to pass. The loss of life to guards from the footboard system was very great on the Continent. He would urge upon the hon. Gentleman, therefore, that that was not the proper time for proposing such a Motion as the present, and that he ought to be prepared to point out the proper mode of communication between passengers and guards.

Mr. LEFROY said, that the public owed his hon. Friend (Sir William Gallwey) a debt of gratitude for the part he had taken in this matter. There had, according to his own knowledge, been great complaints as to the neglect which had been shown. He was not prepared to state the number of dreadful accidents, and cases of alarm that had occurred; but he differed from the statement that the number was small. His hon. Friend's argument with respect to the protection which was given to travellers by coaches was not intended as a recommendation that similar precautions should be adopted, in the same mode, on railways, which would be absurd; but he only quoted those precautions to show that the safety of the public was guarded in those days, and his hon. Friend used the illustration as an argument in favour of adopting some efficient precautions for preventing accidents in railway travelling. He (Mr. Lefroy) had had some connection with railways, and he had ever felt that a great deal more ought to be done in this direction than had been as yet attempted. The railway companies ought to show more deference to the feelings of the public by contriving some means of communication in cases of danger or illness. He quite agreed with the hon. Member opposite, that the plan of placing a man in a box would not succeed, because his vigilance would probably become relaxed as he got used to it. With respect to the point which had been raised, that trains might be stopped without sufficient cause, he admitted that might be the case, and that therefore the plan of simply making a communication between the passengers and guard would not be sufficient, but he must say that he was in favour of some such plan as existed abroad, and had urged his hon. Friend to bring that before the House. At present there was a footboard running along the train, which might possibly be made useful by widening it so that the guards might reach the passengers in case of alarm. The Government appeared to be rather indifferent about the matter, but he hoped the railway companies would take the question up in all seriousness, and with a determination to find a remedy for the existing evil, in which case there would be no necessity for any compulsory steps being adopted, the reverting to which he should very much deplore.

Mr. MILNER GIBSON said, he was sure the hon. Baronet opposite (Sir William Gallwey) did not wish to insinuate that he was indifferent to the dangers to which passengers were exposed in the cases to which he had referred, where they expected every moment to be killed without having the power to arrest the attention of the company's servants. He sympathized very much with the unfortunate position of those passengers; and so far from the Board of Trade being indifferent to the whole question, as suggested by the hon. Gentleman (Mr. Lefroy), it having been repeatedly brought before them—not perhaps so much by large deputations but by railway travellers—and had received their best attention. The subject also had been discussed two or three times in the House, having been brought under its attention by the hon. Member for West Norfolk (Mr. Bentinck). It was, of course, the duty of the Board to have regard to public feeling, which existed in the country, on the question, and to bring the subject under the attention of the railway companies. Accordingly, on the 7th of July in the last year a letter was addressed by the Board to every railway company in the kingdom, calling attention to the complaints which had been made, and asking them to take into consideration the adoption of some means to meet the evils complained of, and to make some attempt to allay the sense of insecurity evidently felt by the travelling public. In consequence of that circular the subject was referred to the Railway Clearing House, which was, in fact, a conference of railway managers, representing pretty nearly all the railway companies of the kingdom, and the general railway interests. They selected a sub-committee, composed of the most competent managers, to consider this question. That sub-committee had made a Report, which had been subsequently confirmed, and had met with the concurrence of the railway managers generally, so that there was some reason to believe that they were about to adopt—indeed, he might almost say they had undertaken *bonâ fide* to carry into execution, if practicable—some plan which would enable passengers to communicate with guards. They had not pledged themselves to any particular plan, because they said in their Report, with great justice, that before any plan could be generally adopted it was absolutely necessary that the apparatus, whatever it might be, should be tested on some of the principal railways, before its value could be ascertained and decided upon. That was the position of the case at present. The extent of the remedy proposed by the railway companies was that passengers should be able to arrest the attention of the guards in express or ordinary trains travelling long distances without stopping at intermediate stations. The guard was not to be able to go to the passenger, but to stop the train at the next station or point at which the train would be protected by fixed signal. He had read the Report and the reasoning which had led to this conclusion, and he thought it sound. The French Government went into this question very fully, and judged it unadvisable there should be a system of communication between passengers and guards, being of opinion that the evils it would give rise to would be greater than those which were sought to be averted. Although the managers here were prepared to give passengers a limited means of communicating with the guard, they could not enable a passenger to stop the train wherever he liked, because that would be to imperil the life of every other passenger in the train—for one that was following might dash into it and smash it to atoms; neither could they allow the guard to go to the passenger, on account of the great risk of the loss of his life in doing so when a train was travelling rapidly. He thought, however, the plan they proposed would tend very much to meet the evil complained of, and he trusted the Motion would not be pressed to a division. If his hon. Friend had sought to deal with the question by means of a Bill he would have found it more difficult than he imagined, because it was one thing to frame a Resolution affirming the desirability of doing a particular thing and another to frame the clauses of a Bill in such a manner as would carry out the object; and if the hon. Baronet tried to frame clauses to carry out a measure in accordance with his Resolution he would soon find how difficult it would be to frame them in such a manner as to carry his point without inflicting other and perhaps worse evils. He did not mean to say that there was any insuperable mechanical difficulty in securing communication between passengers, guards, and drivers, and when once the principles to be carried out were determined upon there would be very little delay in acceding to the wishes of the public. The question, however, was not in a state to require immediate penal and compulsory legislation. The railway companies, stimulated by the letter from the Board of Trade, had taken the matter in hand, and as soon as they had ascertained by experiment which plan was the best they would adopt it.

Mr. BENTINCK said, that while giving the right hon. Gentleman credit for his sympathy with unfortunate passengers imprisoned in a railway carriage who were being killed, burnt, or maimed, he could not help thinking that the Government had been very apathetic on this subject. He would repeat what he had formerly said, that so long as the Government exhibited the same want of energy which had hitherto characterized them, so long must they be held responsible for the continuance of these accidents whenever they occurred. The Government admitted the existence of the evil, but contented itself with forwarding circulars to the railway companies, requesting their attention to the subject. The result of these energetic measures was, that the railway companies were just beginning to make a few experiments as to the best mode of affording means of communication between the passengers and the guards. The hon. Member for Whitby (Mr. Thompson) complained that no suggestion had been made as to how this communication was to be effected. He should like to know whether if some definite and effectual measure had been proposed by Government, they would not have had the railway directors of all the companies crying out that the Government were interfering in railway management, and endeavouring to deal with things which they did not understand. It appeared that the Committee appointed by the railway authorities had been sitting for many months, that they had examined 196 schemes, and that they had not been able to come to a conclusion upon any one of them. He considered that the course they had pursued was trifling with the House. The fact that the Committee appointed by the Clearing House had considered 196 schemes, and had prepared a Report, was no compensation to the public for the risk which they ran of being burnt, maimed, or murdered on railways. There were two difficulties, and two only, in the way of the establishment of such a communication as was recommended by the Motion before the House. One was that railway directors invariably refused to act upon any suggestions which came from out of doors, and the other was that they would not spend a shilling they could possibly avoid, even to prevent the occurrence of accidents. The hon. Gentleman opposite said, that if the railway companies were to adopt a certain mode of proceeding they would kill a certain number of railway servants, and the effect of the argument was that, in order to avoid killing railway servants, they must kill a certain number of passengers. It was idle to tell the House of the large penalties they incurred as a consequence of accidents acting as a deterrent to them in this course of proceeding; for the accidents and the compensation were both on the increase. In this particular case, it was obviously a question of money. It had been admitted that if we had the means of locomotion for the guard to allow him to circulate from one end of the train to the other, the cause of complaint would be removed. The guard could inquire into any emergency or cause of alarm without stopping the train until he had ascertained what it was. If carriages were properly constructed, arrangements might, with the sacrifice of a small amount of space, be made to enable the guard to pass with safety from one carriage to another; and it was, therefore, clear that this was a mere question of expense. Whether his hon. Friend should divide or not, he trusted that the time was not far distant when by the voice of public indignation the House would be told in terms which it could not misunderstand that it should not any longer be permitted to sanction a system of traffic under which the blood and bones of passengers were sacrificed to save the pockets of railway companies.

MR. DILLWYN said, that he considered the attacks made upon the Government and the railway companies unjust. They had taken the matter into their consideration, and had formed a plan which they believed would accomplish good, and they ought at least to have the credit of doing what they could until the plan they proposed had been tried. At present it was impossible for the guard to communicate with passengers when the train was proceeding at anything like average speed, on account of the extreme rapidity of the motion, which would render loss of life to the guard imminent were he to make any such attempt. He was sure that the company of which he was a director would most readily adopt any invention which experience should prove to be a successful one. If the plan under consideration was found to answer he had no doubt it would be carried out by the railway companies with a liberal spirit.

MR. PEASE said, it had been his lot to fill the position of a railway director for a great number of years, and he must utterly disclaim the remarks of the hon. Member for Norfolk (Mr. Bentinck) as to this question being a matter of money. He could hardly suppose that the House would endorse the sentiment, that the railway boards, constituted as they were of men of business, men prominent in works of benevolence, thought nothing about the comfort of passengers; nothing but about the remunerativeness of their undertakings. That they said, "Slaughter whomsoever you will, and spend no money to redress an evil which renders the lives of the public insecure." The railway companies studied nothing more seriously than the comfort of their passengers, and the instructions given to the gentlemen appointed to attend the conference on the subject were to adopt the best plan, without reference to money, because they felt that they were gentlemen to whose keeping was intrusted the most precious lives. It was alike ungenerous and unjust to taunt them with something worse than remissness—namely, indifference to human life, when they did all they could not only to secure safety but comfort to passengers. He thought that such extravagant charges as those brought by the hon. Member for Norfolk would only recoil on the heads of those who brought them.

Sir WILLIAM GALLWEY said, the hon. Member who had just spoken had, perhaps, never heard the proverb, "Companies have no souls." They all knew that the individuals with whom they dined, and whom they met in society, were quite different persons when they became associated in corporation. They were to understand that the right hon. Gentleman (Mr. Milner Gibson) was pledged that the railway companies, within a reasonable time after the result of the experiment, would find a means of communication between the drivers of engines and passengers, through the guard. The right hon. Gentleman opposite had said that the means of communication, which it was hoped would be discovered by the Railways Committee, was to be applied only to express and fast trains, which were to be brought up at the next signal station after receiving the intimation to stop. But suppose the recurrence of such an accident as that which had recently occurred between Reading and London, would the right hon. Gentleman say that the train was to continue in progress to the next station? However, after what had taken place, as the House appeared to consist mainly of railway directors, and he had therefore little chance of carrying it, he would, with the permission of the House, withdraw his Motion.

Mr. MILNER GIBSON said, he had given no pledge of anything. What he had stated was, that the railway companies, in reply to the Government circular, had recognized the desirableness of having a communication between passengers and guards, to be exercised under certain limits, and promised that if a practical scheme were discovered it should be generally adopted.

Sir WILLIAM GALLWEY: Will the right hon. Gentleman name a time when the scheme will be adopted?

Mr. MILNER GIBSON: If the hon. Gentleman will move for the papers he can have them.

Motion, by leave, *withdrawn.*

MINES.

MOTION FOR A SELECT COMMITTEE.

Mr. AYRTON moved for a Select Committee to inquire into the operation of the Act, for the regulation and inspection of Mines, and the allegations of the petitions presented to the House upon the subject from the Miners of Great Britain. He said, that as there was no opposition to the Motion it would not be necessary for him to trouble the House with any observations. It had been said that the Committee had been moved for rather late. That, however, was not his fault or that of the petitioners, and it would be the duty of the Committee to proceed as rapidly as possible to make up for time which had been lost. He concluded by presenting petitions from 10,000 miners, in addition to those already presented.

Sir GEORGE GREY said, that the notice had been worded so as to be vague in its terms; he had, therefore, suggested the terms which the hon. Member had now adopted. A great many petitions had been presented from miners, complaining of what they conceived to be some defects in the administration of the Act for the Regulation and Inspection of Mines. As that Act had been in operation for some years, it was a fit subject for inquiry, though he doubted whether a Committee could now conclude its labours in time to make a Report during the present Session. If the hon. Member thought it right to take the Committee under these circumstances, there would be no objection.

Sir JAMES FERGUSSON said, he thought a Royal Commission, which would have been able to visit localities and look personally into the matter, would have afforded a more effectual means of inquiry that a Select Committee. At the same time, he thought it would be very dangerous for the House to resist the demand made by so many persons engaged in the trade, and if no better result should arise from the inquiry than a proof that the claims of these persons were not overlooked, the time occupied in the investigation would not have been lost.

Sir GEORGE GREY said, he was not aware that a Royal Commission had been asked for. He had understood that a Committee was what it was wished to obtain.

Mr. AUGUSTUS SMITH said, he wanted to know whether inquiry were to be limited to coal mines, or to extend to different metalliferous mines, such as those in Cornwall?

Mr. AYRTON said, the Act mentioned only referred to coal and iron stone mines, and the petitions were limited in the same way.

Mr. W. E. FORSTER said, it was to be regretted that there was so little time left for going into the question. He agreed with the hon. Baronet opposite (Sir James Fergusson) that a Royal Commission would have afforded a more satisfactory means of inquiry than a Select Committee. The case made out by the working miners was so strong, that it was impossible for the House to resist the inquiry. He hoped the Committee would sufficiently appreciate the strong feeling that existed on the part of these men, to determine that something should be done. It was very desirable that they should, if possible, make their Report this Session; but if that could not be done, they might recommend the Government to appoint a Royal Commission.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the operation of the Act for the regulation and inspection of Mines, and into the complaints contained in Petitions from Miners in Great Britain with reference thereto, which have been presented to the House during the present Session."—(*Mr. Ayrton.*)

And on May 29, Committee nominated as follows:—Mr. Ayrton, Mr. Liddell, Mr. Neate, Mr. Greenall, Mr. Lawson, Mr. Arthur Mills, Mr. Kinnaird, Mr. Francis Sharp Powell, Mr. Jackson, Colonel Dunne, Mr. Clive, Mr. Ferrand, Mr. Hussey Vivian, Lord Robert Cecil, and Mr. Bruce:—Power to send for persons, papers, and records; Five to be the quorum.

LOCAL GOVERNMENT SUPPLEMENTAL (No. 4) BILL.

On Motion of Mr. Baring, Bill to confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the Hastings District, *ordered* to be brought in by Mr. Baring and Sir George Grey.

Bill *presented,* and read 1°. [Bill 132.]

House adjourned at a quarter before Eight o'clock.

HOUSE OF COMMONS,

Wednesday, May 10, 1865.

MINUTES.]—Public Bills—*Ordered*—County of Sussex*; Smoke Nuisance (Scotland) Acts Amendment*; Ecclesiastical Leasing Act (1858) Amendment.*

First Reading — Harwich Harbour* [137]; County of Sussex* [138]; Smoke Nuisance (Scotland) Acts Amendment* [139]; Ecclesiastical Leasing Act (1858) Amendment* [140].

Second Reading—Church Rates Commutation [35], *negatived.*

Select Committee — On Metropolitan Toll Bridges* [47], *nominated.*

Committee—County Voters Registration [59]; Commissioners of Supply Meetings (Scotland)* [102], [*Mr. Finlay*].

Report — County Voters Registration [59]; Commissioners of Supply Meetings (Scotland)* [102], [*Mr. Finlay*].

CHURCH RATES COMMUTATION BILL.

[BILL 35.] SECOND READING.

Order for Second Reading read.

Mr. NEWDEGATE*: Mr. Speaker, I find that the hon. Baronet opposite (Sir Charles Douglas) has given notice of his intention to oppose the second reading of this Bill, as he had done on two former occasions. The object of those Bills was the same as that for which I now ask the consideration of the House. I have referred to the records of the speeches of the hon. Baronet on these Bills, and I must say that, although they have one merit—that they were not long—their length is out of all proportion to the matter which they contain. I know not, Sir, whether the hon. Baronet wishes to imply, by this renewal of opposition, merely that he dislikes the consideration of the subject contemplated by this Bill; perhaps that is the reason why his opposition is very persevering. I remember that the hon. Baronet was once a Tory; but he now seems to have changed his party, and to have joined the Ultra-Liberal section of the House; but I am not aware of any great change in his opinions. The hon. Baronet, however, serves the purpose of a political weathercock, and shows whence the opposition to this Bill emanates. Nothing appears to be more conspicuous than the excessive liberality of the Ultra-Liberals on some points, and their excessive illiberality upon others. It was only the other day that hon. Gentlemen of that party were anxiously supporting a Bill which would have lowered the franchise to £6 in all boroughs, and which would, in fact, have reduced the franchise upon which a clear majority of this House are returned to something very like household suffrage. And now these same hon. Gentlemen appear as my opponents, when I come forward—after having for many years listened to their complaints aginst the present system of church rates, chiefly founded on the conscientious objections which the personal liability to the church rate excites amongst their constituents. I seek to remove that personal liability of which their constituents complain; to give an exemption from personal liability from the cost of maintaining the fabric and the services of the Church to the whole class of occupiers, yet these Gentlemen now come down to the House and threaten me with the most determined opposition. During the long contests, Sir, in this House relating to church rates, which have extended over a period of thirty years, the only element which rendered the opposition respectable was the fact, that it pretended or purported to be founded upon the conscientious objections of certain Dissenters to the payment of church rates—forced payment towards the maintenance of a Church to which they object. There is no other respectable ground for this opposition, unless we are to understand that the desire to uproot the Church Establishment itself ought to command the respect of the House. I am inclined to think, from the opposition now threatened to this Bill, that the opposition to church rates has become one phase of a dangerous agitation seeking the dis-establishment of the Church—aiming at the separation of the Church from the State. The proposals of this Bill fully meet the conscientious objections which are entertained; but it is directed absolutely against the attempt to despoil the parishioners of this country of their right to a portion of the real value of the property within their parishes used for the purpose of maintaining the fabric and the services of their churches, which they have possessed from time immemorial. A proposal for the settlement of this question ought to have this effect—it ought to separate those who are actuated by a desire to satisfy conscientious scruples from those who desire to use the anti-Church agitation for the purpose of uprooting the Establishment—for the purpose of changing the Constitution of this country—for the purpose of assimilating it to the Constitution of the United States, which has this great misfortune, foreseen by Washington, who was justly characterized as the father of his country, that their Constitution recognizes no form of Christianity. Washington desired to establish among the States those principles of charity, those peaceful principles of mutual goodwill which have, thank God, through the influence of the Church of England, ever prevailed in this country as the basis of our Constitution, which exemplifies the feelings which prevail among the great body of the people of this country. There is nothing, Sir, in history more remarkable than an incident, which has been much overlooked—than a circumstance which occurred during the formation of the Constitution of the United States. Washington was most anxious to establish the Protestant form of religion. He was most anxious upon this subject, that our former colonists should copy from the mother country the wise provision by which, under the form of an established religion, the ministration of a pure Christianity and the opportunities for a true worship should be afforded to every citizen. The proposal was, however, opposed by Jefferson, the disciple of Voltaire, at the instance of Carroll—a Roman Catholic—whose brother was a Jesuit, and who afterwards, by a process then unusual in his Order, became Bishop of Baltimore. And, Sir, when we see the condition of the United States—when we witness the bitter feelings which have generated the war—when we see the convulsions which these States are undergoing—when we remember that their President has been murdered—when we see that the life of the Prime Minister has been attempted—may we not regard with distrust the objects of those who would remove the characteristic of the Constitution of the country which is embodied in the union of the Protestant Church of this country with the State, in order to induce us to adopt the principle of the Constitution of the United States, which is now illustrated by so dark and so lamentable a page in the history of the world.

Let me now, Sir, advert to the immediate object of this Bill. The principle of the Bill is this—that this House shall sanction the substitution of a charge of twopence in the pound upon real property in this country, in lieu of church rates, as they have hitherto been levied; that this provision shall, in the first instance, extend to no property but that which has been assessed to church rates within the last seven years, and to those parishes only the inhabitants of which have not manifested their opposition to church rates by three successive rejections of church rates upon a poll. Therefore, what I ask the House to do is this—to give the inhabitants of those parishes who have manifested their desire for the supply from real property which church rates have up to the present time afforded them, the means which twopence in the pound on real property will yield for purposes of church rate—that is, for the maintenance of the fabric and the services of the Church. During the last Session, Sir, after I had made this same proposal to the House, in a Bill very similar to the present—although the present Bill has been, as I think, greatly simplified and improved—the noble Lord the Member for Marylebone rose in his place, and told me that I was guilty of proposing to the House a mere political juggle—a mere financial juggle. He said that I proposed that the owner, not the occupier, should pay this twopence in the pound—that, so far as this amount (the average of the church rate throughout England) was concerned, the change which I proposed would make no difference, for that the owner would immediately charge upon the occupier an amount equivalent to the charge imposed upon him. Now, Sir, that appears to me to be a very specious objection; but the noble Lord forgot this, that the operation which I proposed is illustrated by the property and income tax; and if he is right, and it makes no difference whether the owner or occupier is liable to the charge, the difference between Schedule A of the property tax and Schedule B of income tax has no effect upon the incidence of taxation; for it is clear that, if the argument of the noble Lord against my proposal is good, and that the change I propose will not affect the positions of the owner of property and the occupier of property in this respect, it is perfectly clear that the whole amount levied under Schedule B of income tax—that is to say, the whole amount paid by the occupiers of land—constitutes a charge upon landed property, as direct as is the charge under Schedule A, which is called the owners' tax; the distinction between these two schedules is as much a juggle as the scheme I propose. Now, Sir, I refer to this point because it is important. I never yet was guilty, I hope, of proposing a Parliamentary or financial fallacy to the House, and my proposal is this—to give an exemption from personal liability to any payment for the purposes of church rate to the whole of the occupying body. In order to effect that object, I adopt the principle of the property and income tax, which allows the occupier to deduct the charge under Schedule A from his rent. I propose that the charge which I would substitute for church rates shall be levied on the same principle as the tax is levied under Schedule A of the income tax, abandoning the principle of Schedule B in the income tax, which is similar in its incidence to the church rate as now levied in parishes, with this difference only, that the one being a local tax and the other a general tax, the church rate is always levied by the churchwardens and overseers of parishes, whereas, under Schedule B, the tax is levied by the Commissioners of Income Tax appointed by the Government. Sir, I hope the House will excuse me for having endeavoured to meet this objection.

I will now, Sir, proceed to deal with another class of objections. After a long contest in this House—after having been in a minority, the defenders of church rates and of the Church, now that this House has decided by a majority of ten that church rates shall not be abolished without compensation being given, seem to think it quite needless to take any notice of the former opposition of the former majorities of the House. They would, I suppose, have it believed that the opposition was merely fictitious, a factious movement on the part of the Liberal party in this House. It appears, Sir, to me that they totally forget that, in the year 1862, this House — and a very full House—passed an important Resolution. The House, perhaps, will allow me to refer to the terms of that Resolution. In a House of 559 Members, the House came to a Resolution by a majority of seventeen, to the effect—

> "That it would be unjust and inexpedient that church rates should be abolished until some substitute for them has been supplied."

It is upon that Resolution that I found my proposal. The House, in 1862, was evidently dissatisfied with the state of the law respecting church rates, and after having decided by former majorities to sweep away church rates altogether, on mature consideration, came to the decision that church rates should be maintained provisionally, until some substitute for them should be suggested which might meet with the approbation of the Legislature. Therefore, the real state of the case is this: that the law of church rate is acknowledged to be in a most imperfect condition; that the law exists provisionally, and provisionally only, until such time as the Legislature shall be satisfied, that some substitute can be found whereby the parishes of this country may not be despoiled of that public property which has hitherto been applied to the purposes of church rates. Now, Sir, what is the feeling of the country on the subject? There may exist in this House a feeling that the matter had better be left for the consideration of another Parliament. But, I would ask, is it wise to leave this question in the state of uncertainty, in which it has been for the last thirty years? I remember that, more than thirty years ago, the Government proposed a substitute for church rates; that, in the year 1834, Lord Althorp proposed a substitute for church rates; that his Resolution for a substitute for church rates passed this House by a very large majority; and that, for thirty-two years, the state of the law of church rates has generated a chronic discontent — a chronic agitation; that it has served as the means of separating Protestant Christians from one another; that it has ever been a source of bitterness; that successive Governments have acknowledged the difficulty; but for thirty-two years this House has remained impotent to provide a remedy for this acknowledged grievance.

I feel, Sir, that I am a humble Member of this House, but I have felt so discontented, so dissatisfied with this state of things, that, as hon. Members know, I have for some years laboured to discover some common ground upon which Churchmen and Dissenters may agree to remove this cause of strife without committing that gross act of injustice which this House has condemned by a majority—the deprivation of the parishes throughout this country of this power of local taxation—of this right in the property of the parishes which they inhabit, from whence they have drawn the means of providing for the ministration of religion to the poor. I know, Sir, it may be said that an independent Member should not venture to propose such a measure as this. But I ask, Who proposed the Church Rate Abolition Bills, which met with the support of majorities of this House? Always independent Members? Sir James Clay, and Sir John Trelawny, the Member for Tavistock. These Bills have always been proposed by independent Members. I ask, Will the House sanction this principle, that an independent Member shall be entitled to propose a destructive measure, but that an independent Member shall not be entitled to submit to the House a measure for the maintenance of one of the institutions of this country, for reconciling differences, for removing causes of strife, for producing peace amongst his fellow-subjects? Sir, I do not believe that the House intends to adopt any such principle as that; and in that belief I am encouraged again to urge their attention to the necessity of dealing with this subject, which is no less important now than it was when I first, seven years ago, ventured in another form, by Resolution, to submit the matter to the House.

I refer those, Sir, who say there is no occasion for a substitute for church rate to the Resolution of 1862. But they may say that was the state of things two years ago—that the House acted upon the circumstances of 1862—but that the circumstances, which then existed, no longer exist in the year 1865. Sir, I have made it my business to ascertain the state of the agitation which exists in the country, and I find it recorded that between the 1st of May, 1864, and the 1st of May, 1865, there have been contentions with regard to church rates in England and Wales, either in vestries, before magistrates, or in the courts at Westminster, to the extent of 109 cases. I think, Sir, after that statement, it cannot be pretended that the strife has ceased. On the contrary, it seems to me that the strife is aggravated in its bitterness; for on looking through the accounts in the *Liberator* and the *Nonconformist* — the two periodicals which are specially devoted to this subject—I find statements of strife between the incumbent and the parishioners in one case—I really do not like to dwell upon such subjects—resulting in the imprisonment of the rector in the vestry, and his deliverance by the police. In another very disagreeable case I find the triumph of a church rate party, the roasting of an ox in the street, public rejoicings, and the next day a serious vestry was convened for the purpose of impugning the accounts entered by the rector in the parish books. Sir, I could multiply these instances of bitterness and strife. I could show how the present state of the law of church rates leads to the degradation of religion by mixing it up with these miserable considerations of petty payments—these petty subjects of strife, which generate a bitterness that scarcely any political contest in a larger area can produce amongst the people. The state of the law, in this respect, is such as to produce bitterness and strife amongst neighbours. Can you have a worse state of the law than that? Why, Sir, it has been condemned by the highest legal authority extant upon the subject. I presented to the House a petition from the Tamworth Union, praying for the adoption of the principle of this Bill. And on what was that petition founded? On the fact that, in Tamworth, there had been a contest respecting church rates—that the cases had been taken from the magistrates before the superior courts—that the rate had been overthrown by the decision of that court. Dr. Lushington declared that the churchwarden had done his best in the assessment of the parish, and repeated the substance of the evidence he gave before the Committee of the House of Lords, that the law of church rate as to assessment is in such a condition that it is scarcely possible for a churchwarden to make an assessment that will bear the investigation of the court. Can you have a higher authority for the necessity of a change in the law than that of the eminent Judge who has been engaged during the last sixty years in deciding cases under that very law? In his evidence before the Lords' Committee, Dr. Lushington declared that, in his opinion, the first process of amelioration necessary was, that the whole jurisdiction as to levying any sums for the purposes of church rates should be removed from the Ecclesiastical Courts. The Committee of the House of Lords came to a Resolution in accordance with that evidence. They declared that the process ought to be purely civil, and assimilated to the process for the levying and recovery of poor rates. Sir, the Bill which I now submit to the House embraces that recommendation of the House of Lords. Well, Sir, I do not expect that I shall hear in this House any dispute as to one fact, and that is, that church rate in its average amount is a direct deduction from the rent paid by the occupier to the owner of the property, the occupation of which renders the occupier liable to church rates. I think it unnecessary to enlarge upon that point. I might quote the authority of the late Sir Robert Inglis in the debate of 1834; I might quote the authority of the late Mr. Hume in the same debate; I might quote the authority of the late Mr. Whittle Harvey, the representative of the Dissenters of that day; I might quote the authority of the late Sir Robert Peel in 1837, in favour of the outline of this Bill; I might quote the authority of Sir Robert Peel to this effect, that church rate in its average amount is a burden upon land; I might quote his authority, in 1849, supported by that of the late Mr. Goulburn, and illustrated by that of the present Earl Russell; I might quote the authority of the late Sir James Graham, but I do not like to trouble the House with these quotations. I have quoted these authorities before, and they are all supported by the authority of Mr. Coode before the Committee of the House of Lords on church rates so late as the year 1861. I, therefore, ask the House to admit that I am not seeking to inflict any novel burden upon real property, but that I am merely about to do that which the Poor Law Commissioners, so far back as the year 1843, recommended. I am about to ask the House to enact by law that the burden that the incidence of the average amount of the rate shall be recognized in its true character as a charge upon property, and not as a charge upon the person. Now, Sir, in order that I may prevent any misconception on this subject, let me show why church rate, to a certain extent, does operate as a charge upon the person, and not, to its full amount, as a charge upon property. It does so for this reason. It is variable in its amount. The occupier, when he takes a farm or house, calculates the average amount of rates and taxes, and makes a deduction from the rent which he offers—a deduction which is recognized in almost every agreement for the taking of property in this country in one form or other, constantly recognized in terms, always implied. Where you have a variable payment — as in the case of church rate, which on the average has been twopence in the pound, but is sometimes raised to sixpence—that difference of amount is beyond the calculation of the occupier when he entered upon the holding, and therefore that difference falls as a tax upon him personally;

and it is to that personal liability that all the objections to church rates made in this House apply. I only ask the House to remove this grievance by a process which has been successful in the case of tithes—first in Ireland, and then in England—the process of substituting a charge on property for a personal liability, which has this great recommendation, that you can commute a charge, and you cannot commute a personal liability until you have reduced that personal liability to an average, by means of which process I have calculated the amount of charge which is proposed in this Bill. You cannot commute until you have ascertained the average, and I think the commutation is a most desirable object. As long as there is a charge upon the person there will be a disposition to object. There are many cases, and particularly the cases of Dissenting owners of property, in which the commutation of the charge is desirable—in the cases of these Dissenting owners commutation is as desirable as it has proved to be in the case of the tithe-rent charge. Well, then, I ask the House, by commuting the church rate, to give to the Dissenting owners the opportunity of ridding their property of that liability, if it shall so please them. But, Sir, I cannot admit, with regard to the owner of property, that a charge upon that property is a grievance to himself; for no man brought the land of this country into the world, and no man can take his acres out of the world with him when he dies. And, therefore, I agree with Sir Robert Inglis, I agree with Mr. Harvey, the representative of the Dissenters, who, during the debate of 1834, declared that no Dissenter could plead a conscientious scruple with any honesty against a charge which did not attach to himself, as an individual, but to the property to which he had become entitled under the sanction and protection of the laws of this country. Therefore, I say this—that by the change I propose, I give this liberty to the Dissenting owner, that if he objects to his property (and no man can hold property, except during his life) being charged for church rate, he may commute that charge. He cannot do so at present. I, therefore, tender to the owners of property in this country a privilege and an opportunity which has never been tendered them under the existing law. But, Sir, I wish to meet another objection. The right hon. Baronet the Secretary for the Home Department, has repeatedly contemplated the possibility of a substitute for church rates, and, with the ability which has raised him to the high position which he now holds, has sanctioned the principle of the substitution of a charge in lieu of church rates. He did so during the debate upon the Bill introduced on the part of Lord Derby's Government by the then right hon. Member for Cambridge. I will not intrude by quoting the words of the right hon. Baronet, although I have them here. Again, in the debate on the Resolution proposed by the right hon. Member for Wiltshire, the right hon. Baronet sanctioned the principle of the substitution of some payment for church rates of some direct charge upon property in lieu of church rates. In doing so, the right hon. Baronet merely adhered to the principle enunciated by the Whig party in 1834. Again, two years ago, the right hon. Baronet thought it his duty to vote for the second reading of the Bill which was introduced for the commutation of church rates by the hon. Member for Surrey. Therefore, the right hon. Baronet has sanctioned two of the objects of my Bill—the substitution of a charge for the church rate; and has also recommended, as highly desirable, the commutation of that charge.

Sir, I am perfectly aware of the difficulties of my position as an independent Member; and, although I sit on this side of the House, I am as independent a Member as any one. The right hon. Baronet may think it his duty to oppose me. I am one of those who do not undervalue the force of party connection. I can only say that if I am to suffer from the operation of party connection, I shall deeply lament it. But let the House understand what I ask. This Bill has been considered, has been framed, has been reframed under the advice of those whom I am not entitled to mention; but I think it right to say this, that it has been approved of by authorities as high in equity and in law as any that exist in this country. It contains no dangerous principle. The principle which it contains is the principle of tithe commutation; the object which it contemplates is, that property shall provide for the maintenance of the fabric of the Church. It is by a charge upon property that the manses and the churches of the Kirk of Scotland are maintained. Therefore, the Bill proposes no new, no dangerous principle. I believe that it tenders the same hope of peace that has been realized in the case of tithe commutation—first in Ireland, and then in England. I do trust that the Liberal party will not manifest such illiberality as to oppose this Bill, which is the largest tender towards the removal of religious scruples which they have for years represented that has come from this side of the House. I do not ask the House to adopt the measure exactly as it is drawn. I have sent copies of the Bill to every Board of Guardians, to every Clerk of the Peace, to many of the clergy, and to many well-informed independent persons, and they have generally admitted to me that the Bill, as drawn, is worthy of its object. But I do not ask the House to adopt anything but the principle of the Bill. I ask them only to sanction the object of the Bill—the commutation of church rate—and to allow the Bill to be referred to a Select Committee of this House. The right hon. Baronet, in particular, has, during these discussions, declared that the substitution of some means for maintaining the fabric in lieu of church rate is desirable. The right hon. Baronet has sanctioned the principle of commutation. I only ask the right hon. Baronet, and I ask the House, to have a Select Committee appointed, and to make the principle of commutation the basis of their inquiry.

I hope, Sir, that the House will allow me to show them that there is grave occasion for their interference. I have recently been looking over the proceedings of the Liberation Society, and, as they have been the successful promoters of some change in the law, I think their opinion on the present state of things worthy of the attention of the House. Mr. Miall, who was once a Member of this House, bears high office, has great influence in the society called the Liberation Society, and in a speech delivered by him the other day, and reported in the *Nonconformist* of the 4th of May, he says—

> "In one respect only is there any striking difference between the society of 1844 and that of 1865. That is in its name. The Conference which met in November 1853 substituted for the title of 'The British Anti-State Church Association,' that of 'The Society for the Liberation of Religion from State Patronage and Control.' It certainly did no harm. I will not affirm that it did much good; but unquestionably it is its later designation, or rather the abbreviated form of it, 'The Liberation Society,' that has won for it a conspicuous place in the history of the country."

Now, Sir, I hope the House will observe this: that the Liberation Society is likely to treat the church rate agitation as a means to an end—that this influential officer of the society declares that its present name does not convey so clearly the object of the Association as its former name. I think this will induce the House to understand the real object of the Association—the purpose for which it is working this anti-church rate agitation. Now, Sir, this objection to National Churches is not confined to the Liberation Society. I find in the Syllabus of Errors condemned by the Papacy attached to the Encyclical Letter of the 8th December, 1864, No. 37, "National Churches can be established after being withdrawn and separated from the authority of the Roman Pontiff." Now, here is a direct coincidence in object between the anti-State Church movement and the Papal declaration. And what does Mr. Miall go on to say? He says—

> "Is our movement tending to narrow, sectarian, or false issues? Is not the issue—towards which it is manifestly making progress, marvellous progress—broad, national, religious? To what is this owing? Not to the transcendent wisdom of those who have been intrusted with the guidance of the society's affairs, but to the force of that irresistible current of events of which the committee had sought to take 'advantage. They have acted all along on the principle that to obey is better than sacrifice.'"

And now, Sir, I should like to know whom it is intended by this passage that they are to obey. We know that the highest authority in the Papacy has declared, that they are serving the purposes of the Papacy, as enunciated in that decree, and we have Mr. Miall declaring that he is obeying. I wish the House to consider "whom"—I wish the Members of the Liberal party to consider to whom that obedience is rendered? Mr. Miall seems to imply that the movement is not altogether in a satisfactory position; and in the report of the Liberation Society for 1865 I find these observations—

> "Conservative candidates everywhere express a willingness to assent to any measure which will meet the objections of its (the church rate's) opponents, without endangering the existence of the Establishment."

I am thus supplied with the fact, which I wish to impress upon the House, that the general feeling of the electors throughout the country — at all events, of the Conservative electors—is, that some substitute should be found for church rates. Well, Sir, the report goes on to say—

> "Under such circumstances, the work which will devolve upon the society's friends in connection with this particular object is not likely to be less arduous than it has been. They have not

only to exert themselves to insure the election of a Parliament which will again and again pass an abolition Bill, they have to multiply the number of parishes in which rates cannot be obtained without vigorous and persevering opposition, they have to defeat attempts to revive rates where they have ceased to be levied, but where the progress of parochial division may encourage the hope of reviving the abandoned impost. Such exertions, however, will scarcely be rewarded with success without a determination to make this agitation an effectual means of leavening the public mind with sentiments favourable to the higher and broader purposes of this organization."

Now what are these "higher and broader purposes?" The separation of the Church from the State—the dis-establishment of the Church—first of the Church in Ireland, and then of the Church in England. They go on to say—

> "The Committee do not conceal from themselves that their difficulties are likely for a time to keep pace with the activities of the supporters of the existing system,"

And let the House mark this—

> "And will increase in proportion to the extent to which the controversy passes from the region of abstract speculation into that of practical statesmanship."

Now, Sir, I think these last words explain the opposition which I met with from the other side of the House. The rulers of this Liberation Society are opposed to any settlement of this vexed question short of the total abolition of church rates, involving—and this is their point—the spoliation of the parishes of those means of supporting their churches which from time immemorial, from Saxon times, they have possessed. And, Sir, when the House considers this subject, I hope they will see clearly that I am opposed by the opponents of the union of the Church with the State, who will be satisfied with nothing less than the spoliation of the Church.

Sir, I beg to apologize to the House for having so long detained them; but, perhaps, they will allow me, as briefly as I can, to review the object of this Bill, which are—first to remove all personal liability in respect of church rate; secondly, to acknowledge and confirm the right of the parishioners to that portion of the gross value of real property which, being beyond the rent paid to the landlord, has always been reserved for church rate; thirdly, to exempt from the charge on real property reserved by the Bill to the use of the parishioners elsewhere, all parishes in which no church rate has been levied for seven years. And here let me observe, that in making this exemption, I do not bar the right of the inhabitants of those parishes in which there has been no church rate for seven years again to claim, for their own purposes, whenever two-thirds of them shall think fit—again to reclaim their right to this charge. On the contrary, the Bill provides, that if, at any time, two-thirds of the inhabitants of any parish which has been for seven years without a church rate shall think fit to petition the Court of Quarter Sessions, the Court shall, as a matter of duty, declare the charge to be substituted for church rate, imposed at the instance of the inhabitants of that parish. Perhaps they may never exercise the right. If it is a large parish, such as in Birmingham and the parishes in London and other large towns, it may never become subject to this charge; but I, for one, will not bar the inhabitants from that which I hold to be their inalienable right. I reserve their right to claim, whenever they shall think fit, this provision for the maintenance of their worship. The next provision is, therefore, to give two-thirds of the inhabitants of parishes, exempt as above, power to claim that the exemption shall cease, and thus to bring their parish within the charge. The Bill then provides for the eventual commutation of the charge thus substituted for church rate into an endowment for each parish, the proceeds of which shall be applicable as those of church rate. Provision is also made that the charge substituted for church rate shall cease on the creation of an endowment. Now, Sir, these are the objects contemplated by the Bill. And further, there is certain machinery attached to the Bill, which has been carefully considered, constituting what would virtually be a commission for the purpose of commutation. But upon these subsequent provisions I do not dwell. All I ask the House to do is this—to act in the spirit of its Resolution of 1862, and to consider the means of substituting for church rate, which has for thirty years caused so much discontent throughout the country, a charge similar in its nature to the Tithe Commutation Rent Charge, and to supply the means of commuting that charge into an endowment to be held to the credit of each vestry of each parish to be at the disposal of the vestry of each parish. For think not I would deprive the parishioners of the liberty of disposing of the fund intended to supply the arrangements of their church. I would invest them with liberty so far as the expenditure for their church is concerned—liberty to secure that the arrangement of their church shall be in accordance with their own feelings. As I respect the right of any Dissenting body to regulate its own chapel, so would I respect the right of the parishioners to regulate their own parish church. My object is not to break up the parochial system; my object is to confirm the parochial system. My object is to secure the due control of the parishioners in vestry assembled over their own place of worship so far as all the accessories of worship are concerned. My object is, as I have said, to strengthen the parochial system—to secure the rights of the laity of the Church of England, and to prevent an act of spoliation which, after due consideration, the House has condemned; and therefore, Sir, in the spirit of the Resolution of 1862, I beg that the House will consider the principle of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Newdegate.*)

Sir CHARLES DOUGLAS rose to move that the Bill be read a second time that day six months. He thought the hon. Gentleman the Member for North Warwickshire was not justified in the unprovoked attack which he had made upon him, and he should decline to notice personalities; but was willing to give the hon. Gentleman credit for honesty of intention, steadiness of purpose, and a desire to do that which he believed to be just and right. The hon. Gentleman, however, must excuse him for differing altogether in opinion with him as to the utility of introducing this Bill at that stage of the last Session of a moribund Parliament. When, therefore, the hon. Gentleman gave notice of his intention to move the second reading of his Bill, he (Sir Charles Douglas) felt it equally his duty to give notice of his intention to move its rejection—thus taking precisely the same course this Session as he had adopted in the last. It appeared to him that it was the general desire and feeling of that House, as well as of those who took an interest in the question, that it should be submitted at the general election to the hustings, and that it was useless to attempt any such settlement as that now proposed in the last days of an expiring Parliament. He disclaimed any such intention as that which was imputed to him—namely, that he was threatening an hustings agitation on the subject—all he desired was that this question should be submitted to the decision of the electors at large. He was, however, of opinion that the best and most satisfactory solution of the question was to abolish the compulsory power of collecting church rates altogether. He indignantly repudiated the idea of wishing the destruction of the Church. It was not reasonable to expect that House to discuss an important question of this kind at the present period of the Session, when everybody knew that it was not intended to advance the measure another stage; and therefore he should move that the Bill be read a second time that day six months.

Mr. HADFIELD seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Charles Douglas.*)

Motion made, and Question proposed, "That the word 'now' stand part of the Question."

Sir GEORGE GREY said, before the Question was put, he wished to say a few words on the subject. He was desirous of stating that there was no foundation whatever for the anticipation of the hon. Member for North Warwickshire (Mr. Newdegate) that he (Sir George Grey) would oppose the Bill simply because it was brought in by a private Member sitting on the other side the House. He thought, on the contrary, it would be most unreasonable to oppose the measure on any such ground. He could assure him that there was no person to whose opinions he was ready to listen to with greater respect, being convinced that, uninfluenced by party motives, he was actuated by a sincere and earnest desire to settle this vexed question. His advice, however, to the hon. Gentleman was, to press this Bill no further upon the consideration of the House, as there appeared to be a general desire that this question of church rates, which had been made the subject of many warm debates in that House in former Sessions, should be allowed to rest as it is for the present; and it appeared to him that that would be the wisest course for the hon. Gentleman to take.

Mr. SCOURFIELD said, from the appearance of the House at that time, there was very little chance of the question of church rates being settled in the way proposed; at the same time if his hon. Friend should go to a division he (Mr. Scourfield) should certainly support him, inasmuch as his Bill recognized a principle which he believed to be a sound and just one, that when property was subject to a certain charge that charge should not be taken off it without adequate compensation. In supporting the Bill of his hon. Friend he did not, however, wish to be misinterpreted. He could not certainly disguise from himself the conviction that no measure of this kind would prove a final settlement of this question. Although some persons were disposed to anathematize pew rents and the payment for seats in churches, he did not think that any measure for the settlement of church rates likely to be assented to would be altogether free from the recognition of such practices. It would not do to repudiate any principle which might prove, after all, absolutely necessary for the maintenance of churches. For example, he should not be disposed to reprobate the practices of bazaars and other abominations resorted to frequently, for the purpose of obtaining funds for a church, because, however objectionable they were according to his views, nevertheless, if a greater amount of good than harm arose from them he would be willing to submit to them. At a large meeting of churchmen held at Bristol this year, called the Church Congress, all those questions connected with the maintenance of churches were discussed. Some vehement denunciations were hurled against the present pew system; but the majority of those present refused to anathematize that system, accepting it as a choice of difficulties the least objectionable or inconvenient. Amongst the individuals who expressed such an opinion was that great supporter of the Church and distinguished nobleman Lord Lyttelton. It was only right that those who made a payment towards the expenses of a church should have a prior claim to seats in the church over persons who made no contribution; and he confessed he saw no great evil in pew rents.

Mr. KINGLAKE said, he was opposed not only to the manner in which this tax was levied, but to the tax itself, and it would be inconsistent with the views entertained upon the subject by most of those who sat on the Ministerial side of the House to agree to a measure that would, no doubt, improve the mode of imposing the tax, but which was designed to perpetuate it. It would have the same effect upon this question that the change with regard to tithes had had on the Irish Church. The opponents of the Irish Church had lost much of their strength because the burden of support had been shifted; and so in regard to church rates, if they shifted the burden they would increase the difficulty of getting rid of it.

Mr. COLLINS said, he hoped the right hon. Member for North Warwickshire would not press the Motion to a division —if he would consent to withdraw it he would meet with the unanimous support of both sides of the House. If the hon. Gentleman went to a division, he (Mr. Collins) should be obliged to divide against him, though he should do it with reluctance. And he should do so for this reason —the hon. Gentleman had brought forward the Bill in the full belief that it would materially strengthen the Church, while he (Mr. Collins) believed it would have just the opposite result. He was opposed to the odious system of pew rents, which was nothing better than having private boxes in the Church. At present the ratepayers had the option of making or opposing a church rate, and it would be tyranny to deprive them of that power and privilege. The present system had this other advantage, that it operated as a check upon clergymen having peculiar notions, who might not otherwise be so conciliatory as they might be. It was hopeless to expect that the Bill would receive the sanction of the House, and, therefore, he hoped it would not be pressed.

Mr. NEATE said, he agreed with the hon. Gentleman the Member for North Warwickshire that before they abolished church rates it was necessary that a substitute should be provided, and the hon. Gentleman had done his best to do so, and had made a good, though not a successful, suggestion to meet the difficulty. The *onus* of providing a substitute rested, however, with those who wished to provide a substitute, and not with those who were opposed to the present system. He was disposed to admit, which the Liberation Society and many others did not, that the Church of England was entitled to the benefit of some special organization for enforcing this claim on its own members; but it rested with the Church to suggest such an organization. The House should remember that the reason why the church rate question was left in its present unsatisfactory condition was because the great Conservative party had not come forward with any measure to deal with it.

Mr. WHALLEY said, that as the Church had a claim on the land, the observations of the hon. Member for Knaresborough (Mr. Collins) were unjust. So far from its being tyranny towards the ratepayers, the object of the present Bill was to relieve those who considered this an obnoxious impost from its payment, and to substitute another and a better mode of raising a church rate. While he was ready to acknowledge the reasonableness of the proposal of the hon. Member for North Warwickshire, he could not vote for any measure which contained any further endowment of the Church of England, till by some means or other they should better understand what were the principles and doctrines of that Church, and by what means these doctrines could be enforced on persons receiving the emoluments of the Church. At present, when he came to consider what really was the Church of England, he was in a state of great perplexity. All sorts of strange doctrines and practices were heard of as being indulged in by clergymen professing to belong to that Church, and in one journal supposed to represent a certain section of that Church there was a weekly record of the numbers that had passed over to the Church of Rome.

Mr. HEYGATE said, that the hon. Member for Oxford (Mr. Neate) was in error when he said that no steps had been taken by the Conservative party to propose a satisfactory settlement of the church rate question. The hon. Member, he thought, must have a very short memory. In the first place, he must observe that it was not exactly the duty of the Opposition side of the House to initiate any measure on the subject, but it was rather the duty of the Government to do so. It could, not, however, be said that those on his side of the House had sat silent, and had done nothing in the matter. During the Administration of the Earl of Derby, the right hon. Member for Cambridge University (Mr. Walpole) had proposed a conciliatory plan, and the late right hon. Members for Preston and North Wilts (Mr. Sotheron Estcourt) had also proposed a plan which, had it been met in a fair spirit by the Government opposite, and with a sincere desire to settle the question, would have done so long ago. The real truth was, that this church rate question was a valuable one for Gentlemen opposite. With regard to the present proposal, he believed that the only settlement of this question must rest on the principle on which the Bill of his hon. Friend was founded—upon the principle that property should eventually be chargeable for the support of the Church. However, as there was no chance of such a settlement this Session, he thought his hon. Friend would do well to withdraw his Bill.

Lord JOHN MANNERS hoped the hon. Member for North Warwickshire would not put the House to the trouble of dividing on the question, as it was quite clear that neither party had the least intention of accepting his measure as a settlement of the question. A division would not represent the opinions of the House on the question. It was clear that in order to effect a compromise of this question, they must, on the one hand, satisfy the friends of the Church that the proposal would be a better arrangement than church rates; and, on the other, the great majority of those who objected to church rates. The present measure did not satisfy the friends of the Church, and would not conciliate Dissenters. It would, therefore, be a waste of time to renew the discussion of a question upon which they had had such long and such warm debates on former occasions. It had been said by the hon. Gentleman opposite that the Conservative party had made no attempt to settle this question. His hon. Friend near him (Mr. Heygate) had shown the injustice of the imputation, but he (Lord John Manners) begged to remind the House that the Conservative party had endeavoured to deal with the question in what he believed to be the only right manner—namely, by introducing a Bill on the authority of the Government. But the proposal made by the Government of Lord Derby was rejected by the very party with whom the hon. Member who made that unfounded charge acted. The measure of Lord Derby's Government on the question, was exactly that which the hon. Member had expressed his desire to see introduced. But the fact was proposals for the settlement of the question had been made by that side over and over again, and the rejection of them had always been by the friends of Dissenters. Political Dissenters were probably satisfied with the present state of the question, and as a member of the Church, he (Lord John Manners) did not regret that they had succeeded in defeating the various proposals made on the subject. By maintaining their present position in reference to the church rate question, until Dissenters showed unequivocally that they were prepared either to propose, or to accept when proposed, some conciliatory and equitable settlement of the question, he believed they should arrive at a far better position than any they had yet occupied as to the question of church rates. He was prepared to say "No" to any proposal for altering the existing law if it did not maintain the rights of the Church, and if it was not proposed on the authority of the united Cabinet. He hoped the hon. Member for North Warwickshire would not feel it to be his duty to press the second reading of his Bill, for if he did he (Lord John Manners) should feel it to be his duty to vote for the Amendment.

Mr. GILPIN said, he willingly joined issue with the noble Lord who last spoke. The noble Lord said that the present state of the question of church rates was satisfactory for the interests of the Church. He was quite willing to allow the noble Lord to judge as to what was for the interest of his Church, and on that point he (Mr. Gilpin) would not pretend to give an opinion. But he disavowed for himself and for his friends the insinuation of the noble Lord that they, the Dissenters, were disposed to maintain this grievance for their own purposes. He regarded church rates as a grievance, and no settlement would be complete or satisfactory, or ought to be satisfactory, which did not provide for the entire abolition of compulsory church rates. He gave the hon. Member for North Warwickshire (Mr. Newdegate) credit for a sincere desire to settle the question on what he supposed to be equitable grounds. But hon. Members had been brought up in different schools, and he did not himself recognize the justice of his own place of worship being despoiled of its furniture for the sake of furnishing and decorating the Established Church — of his own church in Houndsditch having its furniture annually carried away on trucks to deck the Church of the noble Lord opposite.

Mr. Alderman ROSE thought that the real question was, whether the minority in the country should prevent the majority from voting a church rate if it chose. At one time he had felt very desirous of having this question settled; but when he saw a minority using this question for political purposes, and not desiring to have it settled lest they ahould lose the advantage of a grievance, he quite agreed with the noble Lord that they on that side of the House need not fear going to the country on the question. He was quite prepared to let the agitation go on, and to leave it to the country to decide without the slightest doubt as to what its decision would be.

Mr. HADFIELD said, that the opponents of church rates objected to pay one farthing to the maintenance of a worship which they did not approve. The maintenance of this injustice was a harm to the cause of religion. The Nonconformists had always distinguished themselves for their loyalty to the present ruling House, it was from the party who had always supported the ecclesiastical supremacy that any danger had arisen. Neither was it with Nonconformists that the prisons were filled, but with those who were claimed as members of the Established Church. The Established Church asserted that they were the wealthiest portion of the community. Why, then, did they seek to extort from their less wealthy brethren the small sum of money required to support their own worship? But this impost was maintained not for the sake of the money but as a badge of superiority, and the Nonconformists working for this Bill asked for justice and equality.

Question put, "That the word 'now' stand part of the Question;"

The House *divided*:—Ayes 42; Noes 126: Majority 84.

Words *added*: — Main Question, as amended, put, and *agreed to*.

Bill *put off* for six months.

AYES.

Bentinck, G. W. P.
Bentinck, G. C.
Booth, Sir R. G.
Bourne, Colonel
Bovill, W.
Bramley-Moore, J.
Bremridge, R.
Brooks, R.
Bromley, W. D.
Bruce, Sir H. H.
Buxton, C.
Cobbold J. C.
Cole, hon. H.
Damer, S. D.
Du Cane, C.
Du Pre, C. G.
Fergusson, Sir J.
Floyer, J.
Forester, rt. hon. Gen.
French, Colonel
Gard, R. S.
Grey de Wilton, Visct.
Hardy, J.
Hodgson, R.
Humberston, P. S.
Knightley, Sir R.
Langton, W. H. G.
Lopes, Sir M.
Lowther, Captain
Rose, W. A.
Scourfield, J. H.
Selwyn, C. J.
Shirley, E. P.
Smith, A.
Somes, J.
Torrens, R.
Treherne, M.
Vansittart, W.

Verner, Sir W.
Verner, E. W.
Waldegrave-Leslie, hn G.
Williams, F. M.

TELLERS.
Newdegate, C. N.
Hamilton, Major

NOES.

Acton, Sir J. D.
Adam, W. P.
Adderley, rt. hon. C. B.
Agnew, Sir A.
Antrobus, E.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Baring, T. G.
Baxter, W. E.
Bazley, T.
Beach, W. W. B.
Black, A.
Blackburn, P.
Brand, hon. H.
Briscoe, J. I.
Butler, C. S.
Carnegie, hon. C.
Clay, J.
Clifford, Colonel
Clifton, Sir R. J.
Collins, T.
Colthurst, Sir G. C.
Courtenay, Lord
Cox, W.
Craufurd, E. H. J.
Dalglish, R.
Davey, R.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Dillwyn, L. L.
Dunlop, A. M.
Egerton, E. C.
Enfield, Viscount
Evans, T. W.
Ewart, J. C.
Ewing, H. E. Crum-
Fellowes, E.
Fenwick, E. M.
Fenwick, H.
Finlay, A. S.
Foljambe, F. J. S.
Forster, C.
Foster, W. O.
Gibson, rt. hon. T. M.
Gilpin, C.
Goldsmid, Sir F. H.
Gower, hn. G. W. G. L.
Greenwood, J.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Gurney, S.
Hadfield, G.
Hanbury, R.
Handley, J.
Hartopp, E. B.
Headlam, rt. hon. T. E.
Henderson, J.
Hennessy, J. P.
Heygate, Sir F. W.
Hibbert, J. T.
Humphery, W. H.
Ingham, R.
Jackson, W.
Jervoise, Sir J. C.
Kennedy, T.
Kinglake, A. W.
Kinglake, J. A.
Knatchbull, W. F.
Knatchbull-Hugessen, E.
Lacon, Sir E.
Lawson, W.
Leatham, E. A.
Lee, W.
Lennox, Lord H. G.
Lewis, H.
Locke, J.
Mackie, J.
Mainwaring, T.
Manners, rt. hn. Lord J.
Marjoribanks, D. C.
Martin, J.
Matheson, A.
Moore, C.
Morris, W.
Morrison, W.
North, F.
Padmore, R.
Paget, C.
Pease, H.
Potter, E.
Potter, T. B.
Powell, J. J.
Price, R. G.
Pryse, E. L.
Repton, G. W. J.
Ricardo, O.
Robertson, H.
Scholefield, W.
Seely, C.
Seymour, W. D.
Shelley, Sir J. V.
Sheridan, H. B.
Smith, J. A.
Smith, J. B.
Stacpoole, W.
Stanley, hon. W. O.
Steel, J.
Talbot, C. R. M.
Taylor, P. A.
Tomline, G.
Tracy, hon. C. R. D. H.
Villiers, rt. hon. C. P.
Vivian, H. H.
Walter, J.
Western, S.
Whitbread, S.
White, J.
White, hon. L.
Wickham, H. W.
Woods, H.
Wyld, J.
Wynn, C. W. W.
Wyvill, M.
Yorke, J. R.

TELLERS.
Douglas, Sir C.
Henley, Lord

COUNTY VOTERS REGISTRATION BILL.

[BILL 59.] COMMITTEE.

Order for Committee read.

Mr. HUNT moved—

> "That it be an Instruction to the Committee, that they have power to extend the provisions of the Bill relating to the powers and duties of revising barristers to the case of registration in cities and boroughs."

This Instruction, he explained, did not refer to all the provisions of the Bill, but only to three clauses—first, that revising barristers should have power to make an immediate order as to costs when the objection was frivolous; next, that the revising barrister should read out in an audible tone the corrections he might make in the register; and thirdly, that in order to be able to keep order in his court he should have power to commit for contempt of Court for the day on which he was sitting.

Instruction to the Committee, that they have power to extend the provisions of the Bill relating to the powers and duties of revising barristers to the case of registration in cities and boroughs.—(*Mr. Hunt.*)

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 (Overseers to publish Register.)

Mr. C. WYNN moved to insert at beginning of clause—

> "The clerk of the peace of every county shall, on or before the 1st day of June in each year, transmit to the overseers of every parish or township within such county a sufficient number of copies of the part or parts of the register relating to such parish or township and the overseers."

His object was to secure greater accuracy as well as economy by the abolition of all reprints of the existing registers by overseers for publication in their respective parishes. The only objection he anticipated to the proposition was that this course would transfer the cost of printing from the parishes to the country rate.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 4 (Grounds of Objection to be specified in Notice.)

Mr. HUNT moved an Amendment which, he said, had been suggested by the hon. Member for Oldham. The clause provided that objections should be made specifically in writing; but he proposed so to alter the clause that objections to the list of claims to be placed on the register should continue to be general.

Amendment moved to insert at commencement—

"Any notice of objection to any person on the list of claimants for any parish or township, may be given according to the provisions of the seventh section of the principal Act, but with that exception."

Amendment *agreed to.*

Clause, as amended, ordered to stand part of the Bill.

Clause 5 *agreed to.*

Clause 6 (Each ground of objection to be treated by Revising Barristers as a separate Objection.)

Mr. COLLINS observed, that there was at present no legal form of withdrawing an Objection, and he hoped that the hon. Gentleman who had charge of the Bill would endeavour, before its final passing, to supply that deficiency.

Mr. HUNT said, he did not see the necessity for any positive enactment upon that point, but he would try to ascertain whether he could meet the wish of the hon. Member for Knaresborough.

Clause *agreed to.*

Clause 7 (Persons claiming Right to vote or objected to, may make Declaration as to Facts of Case.)

Mr. HUNT said, he proposed to introduce another provision in its place, and he would therefore propose that it should be negatived.

Clause *struck out.*

Clauses 8 and 9 *agreed to.*

Clause 10 (Such Costs in no Case to exceed £3.)

Mr. C. WYNN moved to insert in line 38 after the word "costs" the following words:—"Shall not upon any one vote exceed the sum of £5," on the ground that the maximum of £3 which his hon. Friend proposed would, in many cases, be too small.

Amendment proposed, in page 3, line 37, to leave out "three," and insert "five,"—(*Mr. Charles Williams Wynn,*)—instead thereof.

Mr. HUNT said, that the maximum of costs at present was £1, which was obviously insufficient. The Committee which sat upon the subject last year had recommended £5; but he thought the general view of the House would be met by a maximum of £3.

Mr. Evans and Mr. Collins were of opinion that £3 would be sufficient.

Mr. Hunt

Mr. C. WYNN said, that the two revising barristers and an election agent who were examined before the Committee of last Session held that £5 was the proper maximum.

Mr. J. J. POWELL objected to £5 as excessive.

Sir GEORGE GREY would support the proposition of the author of the Bill.

Colonel EDWARDS hoped the hon. Gentleman (Mr. Wynn) would divide upon the question. The time had come for putting a stop to the wholesale system of objections. Persons were often obliged to go down from London to the West Riding to defend their votes, and when they arrived there the objections were found to be frivolous and vexatious. He hoped, then, that £5 would be made the maximum.

Question put, "That 'three' stand part of the Clause."

The Committee *divided:* — Ayes 106; Noes 111: Majority 5.

Clause *agreed to.*

Clause 11 *agreed to.*

Clause 12 (Committal for Contempt.)

Mr. J. J. POWELL said, there was no necessity for the clause. The revising barristers' courts had been in existence now for upwards of a quarter of a century, and he was not aware that during that time any complaint had occurred that they had not been conducted in a proper manner, or that the officers of the court had not been treated with respect; and, therefore, there was no necessity for the introduction of the power of committal. On the other hand, it was to be remembered that revising barristers, though entitled to much respect, were most of them young and inexperienced members of the profession, and he thought the Committee should hesitate before they gave them the power of committal. No grounds had been shown for its introduction into the Bill, and he moved its omission.

Mr. COLLINS said, the power of committal would only extend to one day. He considered that the revising barrister ought to have power to keep order in his own court.

Mr. HUNT said, he had been requested by several revising barristers to bring this question before the Select Committee in consequence of the great difficulty they experienced in keeping order in their courts. The only way of doing so at present was by adjourning the court and putting an end to the business of the day. He would give an instance of what came under his own notice in one of those courts. A gentleman on that occasion persisted in making seven or eight speeches when he was only entitled to make one; and when spoken to by the revising barrister he defied his power or authority to stop him or to turn him out, and persisted in going on. The consequence was that the barrister was obliged to turn the matter into a joke, and let him speak as often and as long as he pleased. This was the only court in the country where there was no power in the Judge to enforce order. In Ireland the revising barrister had the power.

Sir GEORGE GREY was opposed to the clause, and considered that the Committee should pause before they gave the power. The revising barristers in Ireland exercised other judicial functions. English revising barristers, though they generally discharged their duties well, were young and inexperienced, and the Committee should be careful in giving them the power of committal. A revising barrister would now be perfectly justified in giving a man into custody who obstructed the proceedings in his court. With regard to making long speeches, he was afraid that was a complaint that was often made of persons who made them other than in revising barristers' courts, and he thought that could hardly be made a ground for committal.

Mr. E. M. FENWICK reminded the Committee that this clause would give the revising barrister greater power in this respect than was possessed by the magistrates. The only power the latter had was to order a constable to remove from the court any person who obstructed the proceedings. Revising barristers were many of them only of three years' standing, and he objected to their having a larger power in this respect than was possessed by the magistrates, who were generally sober-minded men of greater experience.

Mr. HENLEY said, the Select Committee had made no recommendation upon the subject, and if the clause was to be retained in the Bill it must first be altered. He thought that power to clear the court would be sufficient for all practical purposes.

Mr. AYRTON said, that the clause gave authority generally to the revising barrister, and was not confined to disturbances in his court.

Mr. HUNT said, that the revising barrister had no power to order a policeman to remove a person creating disturbance in his court. He should be satisfied if this Bill should give the barristers such a power. He should bring up a clause for that object.

Mr. J. J. POWELL said, disturbance was, no doubt, often caused by the inadequate accommodation provided for the revising barrister in holding his sittings. The sheriff should be empowered to provide proper accommodation for the revising barrister while revising the list of voters.

Mr. HOWES moved the rejection of the clause on the ground that it was objectionable in principle, and would be practically inconvenient. The expense of registration was defrayed partly by the Consolidated Fund and partly by the local authorities, and no expense should be incurred beyond what was necessary for the protection of the public against abuse in the registration. The registry was not established for the convenience of agents and canvassers.

Clause *struck out.*

Clause 13 *agreed to.*

Clause 14 *struck out.*

On Motion of Mr. Hunt, after Clause 3, clauses inserted.

Clause A (20th August last Day for giving Notices of Objection.)

Clause B (1st September last day for Delivery of Papers to Clerk of Peace.)

Mr. HUNT moved to insert, in lieu of Clause 7, clause (Persons claiming and omitted from the List, persons objected to, and persons changing their place of abode may make declarations.)

Clause (Persons claiming and omitted from the list, persons objected to, and persons changing their place of abode, may make declarations,)—(*Mr. Hunt,*)—*brought up,* and read 1°; 2°; and amended.

Mr. J. J. POWELL objected to the clause, and moved its rejection.

Mr. HUNT supported the Clause, observing that its provisions were founded on the recommendation of the Committee.

Mr. COLLINS also supported the clause.

Sir JOHN SHELLEY thought the clause ought to be omitted.

Sir GEORGE GREY said, the clause, as it stood at present, did not give the objector the power of substantiating his objections by cross-examining the voters.

Mr. HUNT said, many voters were objected to simply on the strength of their living at a great distance from the Registration Court, in the hope that they would not take the trouble to assert their rights. He proposed by the clause to give the voters power to make the necessary declaration before the nearest magistrate.

Mr. T. G. BARING said, the clause was very one-sided, and was not in accordance with the recommendations of the Committee.

Mr. HENLEY said, there was a great difference between a mere statutory declaration, and the proposed *ex parte* declaration which was to be received as evidence in a court. It was not fair to allow one side to put in such a declaration without allowing the other to deal with the matter in the same way. The clause would "sell" a good many people, who would get their declarations as to their right of voting drawn up in a light and careless manner, and when they came into court they would find them not worth the paper they were written on. On the whole, he rather disliked the clause. He should be sorry if these declarations were in any way made to resemble the affidavits of the Court of Chancery.

Mr. WALTER said, his recollection, as a Member of the Committee, coincided with that of the Under Secretary. There was a great difference between treating the matter as an abstract question and dealing with it practically. The desire of the Committee was to throw difficulties in the way of unscrupulous objectors, but they had not drawn up any formal clause like that now proposed. He agreed with the right hon. Member for Oxfordshire that any proposal to assimilate the declarations with the affidavits of the Court of Chancery would at once condemn the clause.

Lord STANLEY was of opinion that it would be extremely difficult to render the clause operative even if it were included in the Act.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided:*—Ayes 110; Noes 99: Majority 11.

In reply to Mr. Hibbert,

Mr. HUNT said, that he did not purpose extending the provisions of the Bill to voters in boroughs as well as in counties. He was desirous that the Bill should become law by the next registration, and he was afraid that great delay would be caused unless they confined the measure to voters in counties.

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next, and to be *printed.* [Bill 135.]

THEATRES, &c., BILL—[Bill 64.]

SECOND READING.

Order for Second Reading read.

Mr. LOCKE, in rising to move the second reading of the Bill, said, he was not surprised to find that its objects were but little understood, because it contained allusion to several Acts of Parliament about which very few people knew anything at all. This Bill had been objected to generally because it did not go far enough. He confessed he should like it to go farther in some respects, if it were possible to obtain the assent of Parliament to it; but if the House should assent to the second reading, there would be no difficulty in sending it before a Select Committee, where it could be made a perfectly workable measure. It was not until the 10 *Geo.* II. c. 28, passed in the year 1737, that a distinct law was passed on this subject. Previous to the reign of Elizabeth actors and stage players generally were considered to be rogues and vagabonds, unless the particular theatre in which they performed had been placed under the patronage of some great baron. In the time of Elizabeth their position was somewhat modified, and in the reign of Queen Anne, by Statute 12 *Anne* c. 23, s. 2, it was rendered somewhat more respectable. The 10 *Geo.* II. was, however, the first licensing Act. It was passed at the instance of Sir Robert Walpole, with the view of preventing performances at theatres from interfering with his particular views. That Act originated from a play entitled *Polly*, which succeeded *The Beggar's Opera*, which was not approved of by the Government of that day. The Lord Chamberlain interfered with the play of *Polly*, and said that it should not be performed any longer. By the 10 *Geo.* II. c. 28, the Lord Chamberlain obtained a power of licensing plays, and the performers were required to have a legal settlement, and it was not until the 5 *Geo.* IV. c. 83 that the players were removed from under the operation of the Vagrant Act. By the 10 *Geo.* II. c. 28, no one was allowed to act plays for payment or reward unless by patent from the Crown or licence from the Lord Chamberlain, and by section two of that Act, players, with or without a legal settlement, who performed for hire, were subjected to a penalty of £50. The theatres then patented were Covent Garden, Drury Lane, and the Haymarket. The 28 *Geo.* II. c. 36, called the Music and Dancing Licensing Act, gave no authority for the sale of refreshments. The minor theatres were placed in a very unfair and anomalous position previous to the enactment of the 6 & 7 *Vict.*, c. 68, for if they could not obtain a licence from the Lord Chamberlain in certain districts of Westminster they did not possess any authority for the performances except under the Music and Dancing Licensing Act of *Geo.* II., c. 36. By section two of this Act, justices in London and Westminster, or within twenty miles thereof, were empowered, after the 1st of December, 1752, to grant licences for public dancing, music, or other entertainments of the like kind, at Quarter Sessions; and any place kept for that purpose, without such licence, was to be held to be a disorderly house. This licence did not sanction the performance of stage plays, as was decided in the case of "Levy *v.* Gales," 8 a, & e. 129. The consequence was that in those theatres it was the practice to keep a pianoforte going all through the performance of the plays in order to comply with the provisions of the statute, 28 *Geo.* II. c. 36. A cry was then raised in favour of free trade in the performance of the regular drama. The result was the appointment of a Committee of the House of Commons, which sat in the years 1831 and 1832, to inquire into the state of the law respecting the acting drama throughout the country. That Committee presented a Report, in which they recommended that all theatres should be thrown open for the performance of the regular drama. In a few years afterwards the 6 & 7 *Vict.* c. 68, was passed. The hon. and learned Gentleman was proceeding when—it being a quarter before Six o'clock,

Second Reading *deferred* till *To-morrow.*

COUNTY OF SUSSEX BILL.

On Motion of Mr. Dodson, Bill to make better provision respecting the transaction of County Business of the Administration of Justice at Quarter Sessions in the county of Sussex; and to confirm certain proceedings of the Justices of the said county, *ordered* to be brought in by Mr. Dodson, Colonel Barttelot, and Mr. Cobbett.

Bill *presented,* and read 1°. [Bill 138.]

SMOKE NUISANCE (SCOTLAND) ACTS AMENDMENT BILL.

On Motion of Mr. William Miller, Bill to amend an Act of the twentieth and twenty-first years of Her Majesty, for the abatement of the Nuisance arising from the Smoke of Furnaces in Scotland, and an Act of the twenty-fourth year of Her Majesty, to amend the said Act, *ordered* to be brought in by Mr. William Miller, Mr. Dunlop, and Mr. Black.

Bill *presented,* and read 1°. [Bill 139.]

ECCLESIASTICAL LEASING ACT (1858) AMENDMENT BILL.

On Motion of Mr. Walpole, Bill to amend certain provisions in "The Ecclesiastical Leasing Act, 1858," *ordered* to be brought in by Mr. Walpole and Mr. Philip Pleydell Bouverie.

Bill *presented,* and read 1°. [Bill 140.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, May 11, 1865.

MINUTES.]—Public Bills — *First Reading*—Companies Workmen's Education * (102) [H.L.]

Committee—District Church Tithes (*on re-comm.*)* (101) [H.L.]; Record of Title (Ireland) * (97) [H.L.]; Union Officers (Ireland) Superannuation * (52).

Report—Record of Title (Ireland) * (97) [H.L.]; Sheep and Cattle * (58); Union Officers (Ireland) Superannuation * (52).

Third Reading—County Courts Equitable Jurisdiction (98) [H.L.]

COUNTY COURTS EQUITABLE JURISDICTION BILL—(No. 98.)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, That the Bill be now read 3ª.—(*The Lord Chancellor.*)

Lord ST. LEONARDS said, that the County Courts Bill of last Session, among other provisions, proposed to give an equitable jurisdiction to County Courts; but, after much discussion, the noble and learned Lord on the Woolsack thought it right not to proceed with the measure. If that Bill had not been abandoned, some settlement might have been come to in reference to the provisions in it relating to the credit given to wives and daughters by packmen, and to the frequent commitments and re-commitments for the same trifling debt. The original object of the establishment of County Courts was to provide an easy mode of recovering small debts and demands—they were a kind of courts of conscience, and the time of the Judges was frequently employed in considering what time should be given for the payment of debts of 15*s.* or 20*s.* Since their first establishment bankruptcy business had been added to the labours and duties of the Judges, and not fewer than 2,000 cases of bankruptcy had passed through their hands. At the present moment, so far as legal power was concerned, they were prohibited from entertaining any question with respect to title, or the construction of settlements and wills. The Bill now before their Lordships proposed to give them equitable jurisdiction up to a certain value; but he ventured to say that in many cases where the amount involved was not considerable, questions would be raised as important in point of law as could possibly occur in any suits brought before the higher courts of equity or law. The ground on which the noble and learned Lord on the Woolsack introdued the Bill was that the costs in courts of equity in cases of small amount swallowed up the property in dispute. But it was not so much the strict costs of the suit which occasioned the great expense, but the costs resulting from the discussion of extraneous questions which ought never to have been entered upon. The County Court Judges were a learned body of men, but it was no impeachment of their ability to say that they were not competent to discharge the new functions which the Bill would throw upon them. They had never practised in equity, and they would be naturally unable to exercise this equitable jurisdiction with benefit to the suitors. Moreover, he did not think the County Court Judges could devote time enough to the adjudication of matters of equity; and he objected to the principle of taxing the suitors for the purpose of raising the salaries of the Judges. All sorts of powers were given to the Judges, and from their decisions an appeal was to be allowed to the Court of Chancery. Thus, the unhappy suitor would be compelled to begin again in the Court from which he had been ousted, and for the purposes of appeal would have to incur all the expenses of the old procedure. But his great objection to the Bill was the enormous encouragement it would give to litigation. You ought not to go round the

Lord St. Leonards

country with perambulating courts of equity, stirring up people to litigate, promising them facilities for so doing, and inducing them to resort to equity for all sorts of disputes which otherwise in all probability would be amicably settled. People were generally quite ready enough to go to law at present; and this Bill would give them the means of enforcing every fancied right in cases, nine out of ten of which would, but for the Bill, be settled without resorting to the law at all.

THE LORD CHANCELLOR regretted that his noble and learned Friend had not given credit to their Lordships for recollecting what he had said upon two former occasions. What they had the pleasure of hearing from him now they had heard at some length both on the second reading and also in the Committee on the Bill. He regretted that his noble and learned Friend had thought proper to call in question the competence and knowledge of the Judges of the County Courts. He could assure his noble and learned Friend that he had been quite misinformed upon that point. He could pledge himself to their Lordships that the County Court Judges were a body of men who would bring to the administration of justice under the Bill a large amount of knowledge, as well as great industry and care in the execution of their new jurisdiction. That the new jurisdiction was required was pretty generally admitted, and he should be most happy, provided the Bill passed, if this Session were to be productive of no other amendment of the law. Under the law as it now stood there was an absolute denial of justice to the poorer classes, because the Legislature had made no adequate provision for their case. He would not repeat the arguments he had used on a former occasion, but would content himself with expressing his hope that their Lordships would unanimously pass the Bill.

Motion *agreed to*: Bill read 3^a accordingly, and *passed*, and sent to the Commons.

THE IMPERIAL GAS COMPANY'S WORKS AT CHELSEA.—OBSERVATIONS.

THE BISHOP OF LONDON, in calling Attention to the proposed Additions to the Imperial Gas Company's Works in the immediate Neighbourhood of the National Society's Training School at Chelsea, said, he had been intrusted with three petitions on the subject of a private Bill now before their Lordships' House. One of these petitions was from the parishioners of Fulham, another from the Guardians of the Poor of Fulham, and the third from the National Society's Training School at Chelsea, and in two instances the petitioners were desirous of having their case stated in their Lordships' House. It appeared that the Imperial Gas Company intended, by means of a Private Bill now in that House, to obtain powers greatly to increase the works at present in operation in the neighbourhood of the National Society's Training School. The Bill had passed through the other House without any attention being directed to it, purely as he had been given to understand, through some mistake. The parishioners —particularly those who represented the Board of Health of the parish of Fulham —felt that there was a serious grievance in the case. The works had been now for some years in operation to a limited extent; but even so the most serious mischief had arisen both to life and property in the neighbourhood — so much so that legal proceedings were not long since taken to mitigate the evils that had arisen. Mr. Broadbent, a market gardener, took legal proceedings in 1856 in consequence of the injury which his property had sustained, and he proved that his gardens were so much injured that produce which formerly fetched £150 was then disposed of for £20. In the course of the case certain medical authorities stated what, in their opinion, would be the probable effect of the great nuisance complained of. The clergymen and other residents presented a memorial to the Chelsea vestry in 1856, when the mischief was much less than at present, in which they complained of—

> "Most serious injury to health and property. At all times (they continued) we are exposed to the risk of breathing an air impregnated with gas, which is allowed to escape and contaminate the atmosphere. Almost every night the discharge of fœtid matter from the works of the manufactory causes to many of us a painful difficulty of breathing, disturbed sleep, nausea, and headache."

When medical authorities were examined in the case it was stated that among the effects produced were—

> "Extreme lassitude and depression of spirits, frightful nightmare, dreams, nausea and sickness in the morning, loss of appetite, inaptitude for business, a filthy stench, as if some indescribable nastiness were being constantly inhaled. In the morning (for it is during the night that the exhalations are most active) the air is often evidently saturated with impurity, and even the curtains and hangings in bedchambers are described as being, in some states of the wind, covered with a filthy gaseous slime."

Dr. Taylor, the celebrated Professor of Chemistry and Medical Jurisprudence of Guy's Hospital, observed that in the manufacture of gas—

> "Ammoniacal gas, sulphurous acid, sulphuretted hydrogen, or hydro-sulphuric acid gas, coally and tarry matter, soot, and carbon, are evolved. Sulphuretted hydrogen is a most offensive and nauseous gas, and creates a sickening and nauseous smell. It is liable to be evolved in the manufacture of gas, and so affect the health of those living in the vicinity."

The result of the law proceedings was that, under the authority of the Courts, the evils were mitigated. Those evils had arisen at a time when the gasworks were not one-tenth of the size to which they were now proposed to be extended, and therefore if the Bill now before the House were passed, the evil would be aggravated tenfold. The petitioners in the case had some little doubt how to proceed, because the Bill was a Private one; but there was no doubt that it carried with it very important public interests. Even if it were private interests only that were affected, their Lordships would be anxious that injustice should not be done. The Bill, however, was fairly described as a Bill for destroying life and property in the parishes of Fulham and Chelsea. Though residing in Fulham himself for a portion of the year, it was not from private considerations that he had come forward. Much as property would be injured in the parish it would not be difficult to sell it and purchase a commodious residence at a distance. But the property he now alluded to really belonged to the Church, and it was a serious matter, as regarded the estate vested in the See of London, if the property should be materially deteriorated. Their Lordships would see that it was not likely that first-class residences would be erected in the neighbourhood if these nuisances were perpetuated. It was not merely from private reasons, therefore, that he urged their Lordships not to give their assent to a Bill which, among other things would destroy a neighbourhood which had been historical now for 800 years. Mr. Veitch, the well-known florist, whose greenhouses and nurseries closely adjoined the gasworks, had invested upwards of £40,000 in buildings and plants, and was therefore naturally in alarm lest his property should be ruined, which would be the case if the proposed Bill were to pass. Their Lordships had been anxious to prevent the emission of noxious gases, and a couple of years ago, in reference to certain kinds of works, had passed a Bill with that object, the operation of which had been attended with many advantages to the residents in the neighbourhood of such works. It would be a much easier process not to allow this monstrous nuisance to be created than to bring actions against the company when the works were completed. He had been told that one consideration which weighed with Private Bill Committees was this, that when gasworks were once established they felt a delicacy in preventing their extension. But it was the extension of the evil which made the nuisance intolerable. Gasworks which were to cover 150 acres and which were to pour into the Thames, which Parliament was endeavouring to cleanse, those noxious and filthy gases, certainly became a public nuisance, and required to have public attention directed to them. The National Society's Training School for Schoolmasters, which petitioned against the Bill, educated a large number of students. At the present moment there were in the day-schools no less than 611 boys' names on the registers, and more than 500 scholars were in daily attendance. It might be said that as these were only day scholars they were only exposed for a period of the day to these noxious influences. But there were besides 103 students—the future schoolmasters of the country—who were compelled to pass both day and night in this neighbourhood. It was the prayer of the managers of the training school that their Lordships would interpose to prevent what was so deleterious to the health of the public as well as the inmates of the institution. The medical officer to the college had given a certificate, declaring that the inmates of St. Mark's College had for some time suffered from the annoyance and inconvenience of the noxious effluvium arising from the gasworks of the Imperial Company closely adjoining the college.

> "Should this nuisance be continued or increased (the medical officer stated) I am fearful that it will be very detrimental to the health of its inmates. I have seen very lately a case of illness produced by the inhalation of gaseous emanations, causing headache, feverishness, and relaxed throat with general debility."

The sum of £46,986 had been expended in purchasing the site and erecting the buildings of the Training Institution. Of that sum the Committee of Council on Education granted £8,925 out of the public funds, but all the rest had been raised by the National Society and its friends. The managers of the Training Institution prayed that their Lordships would not allow this Bill to pass, and if it had passed through Committee they were bold enough to hope that a Motion would be made to throw out the Bill on the third reading, and thus prevent a great public evil from being inflicted on the metropolis.

Lord RAVENSWORTH said, he had also been intrusted with a petition from the vicar, churchwardens, and overseers against the Gas Bill. He might observe that the reason why the Bill had passed through the other house was partly *per incuriam*, and partly owing to the temporary indisposition of the vestry clerk of the district. A nuisance of the kind was very much a question of degree. Gasworks might be to a certain extent innocuous, but the case was altered when works of almost unheard of magnitude were about to be undertaken. Such an extension of the works naturally caused great apprehension in an improving neighbourhood. The public grievance was indeed so great that unless otherwise advised he should be disposed, when the Bill came before their Lordships for a third reading, to move its rejection on public grounds.

COMPANIES WORKMENS' EDUCATION BILL [H.L.]

A Bill to enable certain Corporations and Companies to provide for the Education and Religious Instruction of their Workmen—Was *presented* by The Lord Archbishop of York; read 1ª; and to be *printed*. (No. 102.)

House adjourned at half past
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, May 11, 1865.

MINUTES.]—Public Bills — *Ordered* — Postmaster General *; Churches and Chapels Exemption (Scotland).*

First Reading—Exchequer Bonds (£1,000,000)* [142]; Postmaster General * [144].

Second Reading—Customs and Inland Revenue * [129]; Pier and Harbour Orders Confirmation * [130]; Pilotage Order Confirmation * (No. 2) [131].

Referred to Select Committee—Pier and Harbour Orders Confirmation * [130].
Select Committee — On Waterworks *nominated* (*List of Committee*).
Committee — Union Chargeability [31], Debate *adjourned;* Prisons (Scotland) Act Amendment * [91].
Report—Prisons * [15]; Prisons (Scotland) Act Amendment * [91].
Considered as amended—Locomotives on Roads * [143].
Withdrawn—Utilization of Sewage and Land Reclamation (Ireland).*

FOREIGN WINES.—QUESTION.

Sir FITZROY KELLY said, he would beg to ask Mr. Chancellor of the Exchequer, in reference to a paper quoted by him, Whether he is prepared to state in what manner, and upon what principle, the price or value of Foreign Wine is estimated or ascertained upon the payment of the Customs Duty upon importation?

The CHANCELLOR of the EXCHEQUER said, in reply, that the question was one of considerable importance, but the answer he had to give had nothing in it peculiar to the case of foreign wines. The system organized in this country for ascertaining the value of imports, with great advantage as far as accurate knowlege was concerned, had nothing to do with the payment of the Customs Duty, because the Customs Duty had no reference to the value, and if it had the probability was the value upon which the duty was paid would be different from the true value of the commodity. The object of the system was to give, as far as possible, the true value of the articles brought into the country, and the mode in which this was done might be laid before the House by the publication of the various memoranda issued by the Customs Department, and it was clearly described by the following extract:—

> "In the case of the more numerous and more considerable articles which are entered at the Custom House by quantity alone, the value exhibited in the statistical record is obtained by a process of computation which combines the quantity with the average form of the several commodities. The average prices are supplied by the Inspector of Imports and Exports, in part by some of the leading merchants and brokers in the City of London, and in part by three gentlemen who have the special office of watching the course of the markets, who receive a fixed remuneration from the Treasury, and who collect such prices in the ports of London, Liverpool, and Hull respectively."

The hon. and learned Gentleman would perceive that the statement of average value was, from the necessity of the case, not a precise Return in the strict sense of the term, but he believed it was a trustworthy estimate, and came as near to the fact as it was possible to do. He had himself upon certain occasions tested the mode adopted by the Customs and had seen no reason to object to it. If the hon. and learned Gentleman chose to move for the instructions issued by the Customs or any other Department there could be no objection to their production.

FORTIFICATIONS IN CANADA.
QUESTION.

Mr. BAILLIE COCHRANE said, he would beg to ask the Secretary of State for the Colonies, Whether the communications which have passed between Her Majesty's Government and the Commissioners from Canada has led to any change of view respecting the amount to be expended on fortifications in our North American Colonies?

Mr. CARDWELL said, in reply, that as soon as the communications referred to had arrived at any result no time would be lost in making them known to the House. In the meantime it would not be desirable to make any statement upon the subject.

INDIA—LAND TENURES OF OUDE.
QUESTION.

Lord STANLEY said, he wished to ask the Secretary of State for India, Whether he has received any recent Reports relative to the investigation into the Land Tenures of Oude; and, if so, whether he is able to state the substance of such Reports, or to lay them upon the table?

Sir CHARLES WOOD, in reply, said, the noble Lord was aware that whatever rights had existed would be preserved. He had made inquiries for the purpose of ascertaining to what extent the investigation had been going on under the direction of the officers appointed for that purpose, and who were as impartial as men could be. He had received no public Reports upon the subject, but as far as private communications went the purport of them was in accordance with the views of the noble Lord that very few claims to occupancy had been established.

TRANSPORT OF TROOPS TO INDIA.
QUESTION.

Lord STANLEY said, he would now beg to ask the Secretary of State for India, What amount of expenditure it is intended to incur in the establishment of a line of Steam Transports to convey Troops by the overland route; whether all Transport of Troops to and from India is to take place hereafter by that line; and, if so, at what seasons of the year, and what use, if any, will be made of the Transports during the months not available for the conveyance of Troops?

Sir CHARLES WOOD, in reply, said, the subject of transport of troops to India had long engaged the attention of the Government of India, who had recommended that if possible the overland route should be adopted. The result of inquiries that had been instituted was to show that the transport of troops to India, taking into consideration the time gained during which the service of the troops would be available, could be effected at a less cost than under the present system. It was, therefore, proposed to establish lines of transports to Alexandria and from Suez to India. The number of transports at present proposed would not be adequate for the conveyance of all the troops it was necessary to send to India, but it was intended in the first instance to build five transports. The Admiralty had been consulted upon the subject, and upon their advice the transports would be of large size, and would cost something under £200,000 each, or altogether, including the cost of landing vessels, rather more than £1,000,000. There could not be the least doubt that those vessels would soon save their cost, and that their use would lead not only to economy, but to an improvement in the health of the troops. The service would be performed in accordance with the recommendations of a Committee which had considered the subject, and of the Admiralty. The vessels on this side of Egypt would be employed for three-fifths of each year in the conveyance of troops to India, and during the remaining two-fifths of the year they would be available for the general transport service of the Admiralty. Arrangements would be made that troops proceeding to India should pass through the Red Sea, between the commencement of October and the end of March, thus avoiding the hot season. The vessels in India would be employed during the same period in corresponding duties, and during the remainder of the year they would be employed in conveying troops from one part of the Indian coast to another and between India and the colonies.

Sir JAMES ELPHINSTONE said, he wished to know, whether the expense was to be borne by the Indian Government?

Sir CHARLES WOOD said, the expense would be borne exactly in the proportion to the services performed.

Mr. ARTHUR MILLS said, he wished to ask, in reference to the subject which had just been mentioned by the hon. Member for Portsmouth (Sir James Elphinstone), whether the £1,000,000, which was to be expended in building the steam transports to convey troops to India was to be charged upon the Indian Revenue or in the home expenditure?

Sir CHARLES WOOD said, that the cost of building these transports would be defrayed by the Indian Government. The annual charge would be defrayed by the Indian and Home Governments in proportion to the services rendered.

UNION CHARGEABILITY BILL—[Bill 31.]

COMMITTEE.

Order for Committee read.

Mr. BENTINCK *moved*—

"That it be an Instruction to the Committee, with a view to rendering the working of the system of Union Chargeability more just and equal, that they have power to facilitate in certain cases the alteration of the limits of existing Unions."

Mr. C. P. VILLIERS said, there was no occasion for any such Instruction. As the law stood at present the Poor Law Board had ample power to do what the hon. Gentleman pointed at, and there was no necessity to move the Instruction of which the hon. Gentleman had given notice.

Mr. SPEAKER: The right hon. Gentleman considers the Instruction unnecessary, because the Poor Law Board have now the power of altering the boundary of unions; but the question is, not whether the Poor Law Board has the power, but whether the Committee on this Bill would have power, without the Instruction, to do so; and in my opinion the Committee would not have that power, because the subject matter would not be relevant to the subject matter of the Bill. Therefore the hon. Gentleman (the Member for Norfolk) is in order, and rightly has precedence with his Motion, because an Instruction is not of the nature of an Amendment, but a substantive Motion. If it had been moved on the Motion that I do now leave the Chair then an Instruction would become an Amendment. The Motion would be that all the words after the word "that" be left out for the purpose of inserting the words of instruction. If the Amendment were carried, the Motion that I do now leave the Chair would be put an end to, and the Committee could not proceed with the Bill. But the hon. Gentleman wishes that the Committee should proceed with the Bill, and that its powers should be enlarged; therefore, it is right that an Instruction should have precedence of any Amendment of which notice has been given.

Mr. BENTINCK, in moving the Instruction, said, he had two reasons for taking exception to the Bill of the right hon. Gentleman. In the first place the Bill, as it at present stood, would prove extremely injurious in many cases to the less able and less skilled labourer. Nothing could be more injurious to the working of the Poor Laws than a Bill which should have the effect of disinclining the occupiers of land to employ, under many circumstances, those whom he would not employ, if it were not that he would otherwise have to contribute to their support in idleness. He was borne out in this view by the evidence taken before the Committee in 1847. In a memorial of the Board of Guardians of the Sleaford Union, attention was called to the proposal to substitute union for parochial settlements, and the memorialists stated their conviction that the parochialties and responsibilities now existing were the means of giving frequent employment to the aged and less skilled labourer, who would otherwise be thrown upon the rates. The same point was supported by the answers given to the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) by competent witnesses in reference to the Nottingham Union. There was no doubt that in many parishes the rates were very much diminished, and the condition of the poor very much improved by private charity and liberality. Numbers of wealthy persons in many parishes contributed so largely to the maintenance of the poor that the rates in those parishes were very much diminished, and the condition of the poor materially improved, and he feared that the effect of this measure would be to induce the discontinuance of that description of charity. Men could not be made charitable by Act of Parliament, and any Bill the effect of which would be to limit individual generosity would be of a most mischievous character. But his principal objection to the Bill was that it was a Bill framed upon the principle of benefiting the towns to the prejudice of the rural districts. The more he learnt of the Bill, the more was he convinced that the result would be to relieve the towns of a large proportion of the rates they now paid at the expense of the rural districts surrrounding them. He admitted the existence of inequalities in the present system, but it was not right to remedy one injustice by creating half-a-dozen others. At present in the Isle of Wight the rates varied from 4*d.* in the pound to 4*s.* 2*d.* in the pound, but he was told that the effect of the proposed Bill would be greatly to increase the existing injustice and to entail upon the rural districts an enormous increase of the rates which they would be called upon to pay, in order to benefit such places as Ryde and Newport. He believed that this was only one of hundreds of cases of a similar character, and that the general effect would be to benefit one-third of the community at the expense of the other two-thirds. He was informed likewise that in many cases the really close parishes would be the gainers by the Bill, and he believed that was not the object of the right hon. Gentleman. With the exception of coal, minerals contributed nothing to the poor rates, and without entering into the question of the justice of this arrangement, he should like to know what a Member of Parliament would say if asked to join a club, half the members of which paid a heavy subscription and the others paid nothing, and to enter his name in the former class. There was but one way of dealing with the case, and in order to obtain a fair and equitable adjustment, towns above a certain population must be constituted into separate unions. Without that it would be impossible to avoid the perpetration of the greatest possible injustice. In the case, for instance, of the Wisbeach Union, two-thirds of the ratepayers would be benefited at the expense of one-third, and the town of Wisbeach would be relieved to the extent of £1,400, which amount would have to be borne by the rural districts immediately surrounding it. There was a case which had come under his knowledge of an occupier in a small purely agricultural parish, who, having taken a twenty-one years' lease of the property, upon the understanding that his rates would continue as they were at present, would have his rates raised under this Bill from £8 a year to £140; and this man had no interest in the town which he was in immediate proximity to. It might be said that this was an exceptional case, but he believed that there were thousands of other cases in which a similar injustice would be done. The Docking Union, which had been referred to, included no large town, it was an agricultural district entirely, and could not be cited, therefore, in proof of the successful working of the system, when they were endeavouring to bring large towns and country districts together in one union. The Bill would produce an enormous change in the burdens to be levied in the rural parishes of the country, and such a measure was far too crude to be hastily passed. He concluded by moving the Instruction to the Committee of which he had given notice.

Mr. PACKE seconded the Motion. He said he believed this was a piece of legislation which would rob one part of the community and put the money into the pockets of the other. There were two extremely trying cases in Norfolk, stated in the petitions presented to the House. It appeared that North Lynn and West Lynn would be sacrificed for the benefit of the commercial town of King's Lynn. Nearly the whole of one of those parishes had been taken by a gentleman. His lease was a very long one, and he took it upon the understanding that there would be no alteration with regard to the rates of the parish during the lease. But this Bill would oblige him for the remainder of his lease to pay a very enormous sum for the benefit of the merchants and traders of King's Lynn. A still stronger case was that of Macclesfield Union, which consisted of 41 parishes, 37 of which were agricultural. The silk trade of Macclesfield was subject to great depressions, and these 37 parishes, which had nothing to do with the employment of the great mass of the labouring population, would be called upon to support the distressed silk operatives of the four manufacturing parishes, in times of distress. He trusted the House would not permit a Bill of this kind to pass without further inquiry and consideration.

Mr. NEATE said, he entirely agreed with the hon. Member who had just sat down, that it was not right to empower one party to put his hand into the pocket of another, but he contended that that was precisely what the owners of property in agricultural parishes did under the present system. He thought that it would be better to place the agricultural labourer on the same footing as other industrial artisans and labourers, and that no special inducement should be offered to employers of labour to hire men who were least capable of doing their work. He would, with a view of meeting the question raised by the hon. Member for West Norfolk (Mr. Bentinck), suggest that in any alteration the Poor Law Board should make in the limits of existing unions, they should be under the obligation of laying those alterations upon the table of the House, in the same way as was done by the Copyhold Commission and the Local Government Act, so that if parties were aggrieved by those alterations they could appeal for redress to Parliament. He thought that it would be a great pity to delay the passing of this Bill because some cases of injustice might arise from its too rigorous application. Although there might be cases of injustice in extending the limits of the existing unions, still, upon the whole, he thought the Bill would do justice to the ratepayers, and would confer a benefit upon the poor.

Mr. KNIGHT said, that many unions contained an area of 150,000 acres, while others contained only 3,000, the number of the inhabitants of the largest being 92,000 and of the smallest 3,900. The rate in some of the parishes was as low as 6*d.*, while in others it rose to over 5*s.* in the pound. Such statistics as those ought not to be lost sight of in passing the measure under consideration, as it would be exceedingly hard upon a parish paying only 6*d.* in the pound to be joined to a union paying 5*s.* The opinions as to the proper limit of unions differed widely. Mr. Chadwick, a great authority upon the subject, had advocated before various Committees a great extension of unions in order to form what he called "Quarter County Unions," while the Poor Law Commissioners of 1858 thought several of the large unions ought to be divided. The present unions were made under extraordinary circumstances, and many of them were formed out of a kind of spite of the Poor Law Board. By spite he meant this —One union would oppose the Poor Law Board, and would not have a workhouse, and the Board would then take parish after parish from that union and add them to another. In some cases a union would extend over thirty-five miles of country. If the Bill were passed without some distinct settlement of these questions they would be taking a plunge in the dark, and no ratepayer would be sure whether that time next year he would be paying 6*d.* or 5*s.* in the pound. Were the smaller unions to be thrown into the larger ones, were town unions to be joined to country unions, or town parishes to country parishes? He hoped that some satisfactory settlement would be come to on these matters before the Bill was permitted to pass.

Mr. SCOURFIELD said, he quite admitted that legally speaking under the existing authority the Poor Law Board had the power to enlarge, diminish, or alter a union, but this was a power which was most difficult to carry into effect. He could state from his own experience an instance where two or three parishes had been added to a union against their will and to their great disadvantage, and they had no means of disuniting themselves, because the majority bound the minority. He therefore thought it highly necessary that at the outset of this debate the House should move the proposed Instruction to the Committee that the area of unions should be carefully considered. In a paragraph of his letter which followed that which had already been cited Sir E. Head stated that, in his opinion, the safer and practical course for giving effect to a plan of this description would be that the several parishes should for the next seven years contribute to the union fund in proportion to their respective expenditure for the last seven; that at the end of that period the guardians should be required to make a union rate upon a fair and equal valuation, and that for another period of seven years the contributions of the parishes should be regulated according to a ratio compounded equally of the past average and the union rate. It was clear, therefore, that Sir E. Head thought that this question required more consideration than appeared to have been given to it by those who had prepared this measure. It was impossible not to approve of many of the objects for which the Bill had been framed. The diminution of the practice of removal and the practical abolition of the law of settlement would be extremely beneficial. But he should add that cases of removal, as far as he had observed, had of late almost wholly disappeared. When he first became Chairman of the Quarter Sessions in his county, some seventeen years since, those cases formed frequent subjects of complaint and inquiry; but they were now scarcely ever heard of. It was a mistake to think that the large proprietors alone were interested in the question under the consideration of the House. A man who had property extending over several parishes would probably find that he would gain in one of them as much as he would lose in another; but under the operation of that Bill the owner of a small property might find that his charge for the poor rate was raised by as much as 1*s.* 6*d.* or 2*s.* in the pound, and that at a time when people were congratulating themselves on the diminution of the income tax by 2*d.* in the pound. With these convictions he should feel it his duty to support the proposal of the hon. Member for West Norfolk.

Mr. C. E. EGERTON said, that the present law operated most unequally and unfairly. The Union of Macclesfield comprised forty-one parishes; and three of these, which were town parishes, paid a poor rate of 4*s.* 6*d.* in the pound, while the adjoining thirty-eight rural parishes, which enjoyed all the benefit of their contiguity to a large town, never paid as much as 1*s.* 6*d.* in the pound. This was a great injustice to the ratepayers of the manufacturing towns. He thanked the right hon. Gentleman for having introduced this Bill, and only regretted that he had not gone further, and proposed the entire abolition of the law of settlement. However, he was sure thas if this Bill passed that law could not long remain upon the statute book.

Sir MATTHEW RIDLEY said, that he was as much opposed to the principle of this Bill as he was to that of the Act of 1861, and he had presented many petitions against it. In one of them, which came from the Tynemouth Union, consisting of twenty-four parishes or townships, it was stated that, while the rates of agricultural parishes, some of them situated at a distance of thirteen miles from the towns of North Shields or Tynemouth, would be seriously increased under this Bill, the rates of those two places would be greatly diminished. There was, for instance, one rural parish which would have to pay £1,130, instead of £759, which was the average amount of its present charge. The Town of North Shields, on the other hand, which was situated at a distance of thirteen miles from that rural parish, would have its poor rate reduced from £3,628 to £2,680. In the Union of Berwick-upon-Tweed the operation of the measure would be precisely similar, and the figures which he had received from that union did not bear out what had been said by the hon. Member for Oxford as to the rural districts benefiting at the expense of the towns. He had risen simply for the purpose of pointing out what he conceived to be the injustice which would result from this measure, unless it were accompanied at the same time by a re-distribution of unions or some other arrangement which would give a fair and equitable chance to the rural parishes.

Mr. Alderman SIDNEY said, there was an amount of prejudice against the measure of the Government which was not justified by the circumstances. There was no reason for the outcry which had been raised against it. On the other hand, it would appear from the arguments of some hon. Gentlemen that the towns were very heavily taxed while the rural districts were very lightly taxed for the relief of the poor, but such was not the case. Taking the large towns generally it would be found to be otherwise. The whole county of Lancaster was rated at 1*s.* 1¾*d.*, while Liverpool was rated at 1*s.* 5¾*d.*, and Manchester, 1*s.* 10½*d.* The county of Warwick averaged 1*s.* 1½*d.*, including Birmingham, while Birmingham itself was 1*s.* 3¾*d.* It might be presumed that the agricultural counties were lightly taxed, but he would read the statistics of six agricultural counties. In Bedfordshire, for instance, the highest rated parish was 4*s.* 0¼*d.*, while the lowest was three farthings. In Berks, the highest was 3*s.* 8¾*d.*, and the lowest 1*d.* In Bucks, the highest was 5*s.* 9¾*d.*, and the lowest a farthing; in Rutlandshire, the highest was 2*s.* 5¼*d.*, and the lowest a farthing, but in Wilts, which contained no very large town, the highest agricultural parish was 9*s.* 10¾*d.*, and the lowest a halfpenny in the pound. One would suppose that the Legislature was interested in keeping up these great inequalities in local taxation. He was at a loss to conceive why property in one parish should be rated so high, and in another property should be literally excluded from rating altogether. He thought it was the duty of the House to assist the Government in passing this very humane and proper measure, for he could bear testimony to the fact that in proportion as the poor rate was burdensome in parishes, so, in the same proportion, the poor were straitened and neglected. This was peculiarly the case in the metropolis, for they heard heartrending accounts of destitution and even death in the eastern districts, where the poor rates oppressed the poor and middle class, while such extreme cases of distress were unknown in the western parishes. He had no doubt the Motion of the hon. Member for West Norfolk (Mr. Bentinck) was deserving of consideration, and that there were unions that required revision. He lamented that the Government measure did not go further. He should rejoice in the abolition of the law of settlement altogether, and he should also rejoice if the Government, by adopting county instead of union rating, would avoid the present collision existing between town and rural parishes, as there could be no doubt that urban and agricultural rating would soon equalize themselves. No class would benefit so much as the poor themselves from the equalization of rating.

Mr. ADDERLEY said, that one preliminary to this Bill, at all events, should be the re-adjustment of the boundaries of some of the existing unions. The opponents of the Bill had been charged with bringing into collision the interests of town and country parishes, but that collision, which had been so justly deprecated, was not attributable to the opponents of the measure, but to the immature condition of the Bill itself. It was one of the great faults of the measure that it brought these interests into collision from not having first made this preliminary adjustment. The Bill had been brought forward too hastily and inconsiderately. It had been stated, as sufficient excuse for letting town rates spread over country parishes in union with them, that the towns were more heavily rated than the rural parishes, but if the creation of greater wealth in the towns was attended at the same time by more poverty, it was fair that the greater wealth should support the attendant poverty created by itself. The hon. Member for Macclesfield had stated that he should support the Bill because he was an advocate for the abolition of the law of settlement, he wished to see poverty relieved wherever it occurred; but the object which the hon. Gentleman desired to see effected was precisely the one which the Bill signally failed to make any provision for. The Bill did not provide for the support of the poverty by the parishes where that poverty was found to exist. It left unions of incongruous areas, so as to inflict the charge of town poverty on a wholly different population. He would again refer to an instance which he had mentioned to the House on a previous night. One-half of the town of Birmingham was united with three or four perfectly rural parishes in the same union. The consequence of passing this Bill would be to those unions perfectly ruinous. Some hon. Members referred to the advantage which such rural parishes derived from their proximity to the town, but was not that advantage mutual? The market of the town was no more necessary to the village than the custom of the village to the town. It was no argument that additional burden be imposed upon the country parishes, for the advantage was reciprocal. He knew of towns which were coupled with country districts in the same union where the injustice was two-fold, because of iron mines which were exempted from poor rates. Stock-in-trade also added another large head of exemption to towns. It was also customary for those who worked in towns to reside in the country—a very excellent arrangement, but one which, under this Bill without adjustment would, in many cases, shift from the town where a man had worked all his life the burden of supporting him in his old age or decrepitude to the country district where he lived. He therefore was prepared to support the Motion of the hon. Member for West Norfolk (Mr. Bentinck) not wishing to oppose the Bill, but because he thought there was no necessity for acting precipitately, and incurring the risk of inflicting injustice. The Government were too eager to have the credit of the Bill, and leave the less palatable precautions to their successors.

MR. C. P. VILLIERS said, he had risen before to make a suggestion, that inasmuch as the purpose of several of the Amendments on the paper appeared to be the same—namely, to obstruct the passage of the Bill—they should at least take the Amendments in their order, and consider the purpose which they professed to be intended to serve. The Amendment now before the House had a distinct object—"to facilitate in certain cases the alteration of the limits of existing unions." That was the professed object of the Amendment, but hardly a word had been said upon that subject. The discussion had been entirely on the merits of this measure. He meant that there had not been shadowed out in any way any provision or measure by which it was proposed to facilitate the alteration of the limits of existing unions. When he interposed between the hon. Member for Norfolk (Mr. Bentinck) and the Motion for going into Committee he had intended to have pointed out to the House that there were ample powers under the existing law to effect the object described in the Amendment. He had, however, bowed to the decision of the Speaker, and, therefore, the hon. Member for Norfolk had been able to propose his Instruction, without, however, stating in what way he proposed to enable the Poor Law Board, or any other authority, to alter the existing limits of unions, so as to render the charges upon the parishes more just and equal. He contended that under the 7 & 8 *Vict.* there was ample power for revising the boundaries of unions, and if not it would be easy to confer a power for that purpose in Committee. Some vague statements had been made about inequalities which would be created in particular unions if this measure passed—that some townships or parishes would have to pay more than they did now, and the object of the Instruction was to prevent that result by enabling those particular parishes to retire from the union. If that were the object of the Instruction he would like to know where the changes would end. Whenever a parish had to pay a little more than it had previously done it was to be substracted from the union. The end of it would be to re-establish the parochial system, and to break up all the unions. There might be great variation in the amount of rates paid by different parishes, but almost every parish was differently circumstanced from every other, and, therefore, one was rated more highly than another. It was stated that towns would benefit by this measure, and that rural districts would suffer, so that if this Instruction were to have effect the rural parishes would separate from the towns. But when that was done the rural parishes would begin to consider whether some of them did not pay more others, and they would have complaints to make against each other. Thus the country parishes would get rid of the towns, which gave value to their property, employed their inhabitants, and to which they drove their poor. The 7 & 8 *Vict.* gave ample power for altering the limits of unions, and that power had been exercised in many cases. What, then, could be the purpose of this Instruction? Did it arise from any distrust of the exercise of that power in future by the Poor Law Board?

["Hear, hear!"] The right hon. Member for Staffordshire (Mr. Adderley) cried "Hear," implying that he did distrust the Poor Law Board, and with reason, for that Board did distrust his facts. He was glad that the right hon. Member had spoken before him, as he repeated a statement which evidently made an impression upon the House, as showing conclusively what the operation of this Bill would be. The right hon. Gentleman spoke of a district comprising one-half of Birmingham—the district of Aston — not one-half of Birmingham, but a large district. In that district the right hon. Gentleman said there were three or four rural parishes, all of which would, if this measure passed, be mulcted in enormous rates for the support of the poor of the town districts of Birmingham. He could understand an hon. Member making a mistake once, but he could not understand its repetition, inasmuch as after the previous statement of the right hon. Gentleman, he (Mr. C. P. Villiers) received several communications, calling upon him to correct the error into which the right hon. Gentleman had fallen, and no doubt similar communications were addressed to the right hon. Gentleman himself. The fact was, that there were three agricultural parishes connected with Aston Union, and each of those parishes would derive benefit from this Bill. The right hon. Gentleman's statement produced considerable effect, and if its accuracy had been admitted by silence, his expressed distrust of the Poor Law Board would have been held to be justified.

Mr. ADDERLEY: I spoke the language of the petition of the guardians of those parishes.

Mr. C. P. VILLIERS said, that if he was in error, he would be very ready to admit it; but he had received communications which had induced him to make the statement he had just made. He had received one communication from Mr. Wyvill, the Poor Law Inspector of the district, an old and experienced servant of the Board. He could not consent to the Instruction proposed by the hon. Gentleman, because he did not know what powers were intended to be conferred, nor did he think that it was at all necessary to subtract from unions every parish which might have to pay something more than it had paid before. As he questioned the accuracy of one statement that had been made, he would also refer to what had fallen from the hon. Member for Haverfordwest (Mr.

Scourfield), in allusion to an article upon the subject by Sir Edmund Head. The hon. Member said he respected the authority of the writer, and he called the attention of the House particularly to the mode in which this Instruction was to be carried out by the scheme proposed in that article of spreading over a period of seven years the establishment of a system of equal assessment, as set forth in the pamphlet of 1848. When that pamphlet was written the mode of levying the contributions of the different parishes was upon the average of property over three years, and the writer of the pamphlet before the House wished that all parishes should be rated according to the value of property upon an average of seven years. Sir Edmund Head republished this pamphlet in 1865, and in the interval he found that an Act had been passed which precisely secured that which he thought necessary to make the measure just, and which dispensed with the necessity of seven years. In a note to the pamphlet he said that the scheme proposed in the text was no longer necessary, inasmuch as the Union Assessment Act had provided the means of securing uniformity. He stated that the relief charges on the common fund were already 51 per cent of all the relief, and the transition to an union charge was therefore easy. He accepted, therefore, the authority of Sir Edmund Head himself to show that the alterations proposed by the hon. Member for West Norfolk were not necessary. The single object of the hon. Gentleman's Instruction was to facilitate the alteration of the limits of unions; but if that were to be the case, there would be no end to these alterations, and gradually everything would return to the old system. The Poor Law Board had always exercised its own authority for these alterations whenever good cause existed, but it would be utterly impossible to carry into effect what the hon. Gentleman was proposing.

Sir WILLIAM MILES said, if the Poor Law Board possessed the authority it was very disinclined to use it. Now-a-days there was the greatest indisposition to allow localities to manage their own affairs. The Poor Law Board were not willing to make those alterations even when the whole of the guardians were in favour of them. He had received a letter from a gentleman who had for seventeen years been chairman of the Bedminster Union, which stated that though the rural parishes of that union were only united with the urban parish of Bedminster on the express pledge of the Poor Law Board that if they did not work harmoniously the union should be dissolved, yet the Poor Law Board, notwithstanding numerous applications and the unanimous desire of all the parishes, had up to this time continued to refuse to allow a dissolution. No doubt there were many other cases in which the Poor Law Board had refused to dissolve unions. The right hon. Gentleman said he did not know how the instructions could be carried out. He (Sir William Miles) would tell him. He would, on application by two-thirds of the guardians, allow a dissolution to take place on such conditions as the Poor Law Board might direct. The House was too much in favour of placing everything under a central authority, and leaving nothing to guardians except what Inspectors might advise. The guardians were the best judges of what should be done, yet when they made any statement to the Board an Inspector was always sent down to inquire into its truthfulnes. The word of an Inspector was preferred to that of the guardians. He had moved for Returns over and over again of the instances in which the Poor Law Board had exercised the power of altering unions, but had not yet got them. He was not going to vote for the proposal without being ready to carry it out, and he thought that there would be no difficulty in doing it. The last time the question of union settlement came before a Committee of the House was in 1846, and he recollected well that the late Mr. Charles Buller, who presided over that Committee—such was the effect which the evidence, not of Poor Law Inspectors, but of men who were engaged in the actual working of the Poor Law produced on his mind—declared, in almost the very words of the present Resolution, that there would be no fairness in any union settlement until a revision of unions had taken place. There was the highest possible authority, therefore, in favour of the proposition of his hon. Friend, and there would be no difficulty, if it were acceded to, in framing a Bill which would give general satisfaction. For his own part he had always been for an extension of the area of rating, but then he wished to see that object effected in a fair way; and if the towns were placed with the towns, and the rural parishes with the rural parishes, there would be such a shifting of the burdens of taxation as would lead to there being less of recrimination between parish and parish, and more of goodwill between those with whom it would rest to carry any measure on the subject into effect.

Sir JOHN PAKINGTON said, he thought the right hon. Gentleman the President of the Poor Law Board was by no means justified in the tone which he had adopted in reference to the proposition before the House, or in the statement that it had been brought forward with the view of obstructing the passing of the Bill. Such observations would not facilitate the passing of the Bill. He, for one, should certainly vote for the proposition, which he considered a fair one, and one of his reasons for doing so was the confidence which he, in common with the right hon. Gentleman, placed in the opinion of Sir Edmund Head. So disposed was the right hon. Member to rely on that opinion that he had sent him the pamphlet of Sir Edmund Head, to which allusion had been made by the hon. Member for Haverfordwest, and he deemed it but just to the writer to say that while he ably and successfully advocated union rating, he did so upon two grounds—the first being that it ought to be carefully and gradually introduced, and the second—which the right hon. Gentleman had passed over in complete silence — that before union chargeability was adopted that change in the law ought to be preceded by a revision of the boundaries of unions. It was, he would observe, hardly ingenuous on the part of the right hon. Gentleman while referring to one portion of the pamphlet to make no allusion to the other. He had, he might add, every reason to believe that the authority of Sir Edmund Head was in favour of the Motion of his hon. Friend the Member for West Norfolk, and he was happy to find that so eminent an authority as the late Mr. Charles Buller had also been in favour of the revision of Union boundaries. For himself, he had always been an advocate of the principle of union rating, and he believed a great mistake was made by the close parishes when they drove labour away. It must, however, be borne in mind that the extension of the area of rating could not be effected without at the same time causing a very great change in the incidence of taxation throughout the country, and it was therefore the duty of the right hon. Gentleman to do everything in his power towards making the change fall as lightly as possible on the ratepayers.

Mr. NEWDEGATE said, that it was not denied that there were great inequalities in the area of unions—greater than any that existed in the area of parishes. It was evident that the Poor Law Board admitted the necessity of some alteration of the limits of unions. Now these alterations of the limits of union must necessitate the transfer of a considerable number of parishes from one union to another in which the amount of the rates were probably very different. Thus this transfer of parishes involved the question whether some parishes should pay *5s.* poor rate instead of *9d.* The Poor Law Board, through which this transfer of parishes from one union to another would be effected, was a Government office. They were on the eve of a general election, and he asked whether it was the wish of the House to place in the hands of the Government at such a time the enormous patronage which the Bill would give them. As an independent Member he called attention to that circumstance. It was one which no former Parliament in which he had had the honour of sitting would have overlooked.

Mr. CLIFFORD said, that the town parishes might be injured by this Bill, and therefore they regarded it with aversion, but the agricultural parishes would be benefited by it.

Question put,

"That it be an Instruction to the Committee, with a view to rendering the working of the system of Union Chargeability more just and equal, that they have power to facilitate in certain cases the alteration of the limits of existing Unions."—(*Mr. Bentinck.*)

The House *divided* :—Ayes 118 ; Noes 193 : Majority 75.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. THOMPSON, who had given notice of his intention to move that the Bill be referred to a Select Committee, said, the large majority by which the Bill passed the second reading had decided the question of principle, and pledged the House to the adoption of union instead of parochial rating. It was, therefore, highly desirable that the Bill, before passing, should be rendered a well considered and comprehensive measure, needing as little alteration as possible. Looking at it from this point of view, the question to which he wished to call attention was the question of the division of unions. The House had decided that no special instruction should be given to the Committee with regard to the division of unions. That decision, however, he assumed, was based on the statement of the President of the Poor Law Board that no special instructions were required, it being already in the power of the Poor Law Board to carry out alterations of this kind, which they were doing from time to time. It was with surprise, however, that he heard so great an authority as the right hon. Gentleman declare that alterations of this kind could be carried out as well after the Bill had passed as they could be now, or in case the Bill was postponed to another Session. As long as parochial rating was maintained it mattered comparatively little whether parish A belonged to union B or C ; but the Bill once passed, a change from one union to another implied a change in the amount of taxation which the ratepayers would be called upon to pay, for no two unions would be circumstanced precisely alike in that respect. On the passing of this Bill union rating would become law, but almost before the amount of the change could be ascertained the Poor Law Board would be at work again altering the various unions and changing the amount of taxation. He asked was it fair that these constant changes should be made ? If the Bill were referred to a Select Committee the whole question could be considered, a scheme might be drawn up by the Poor Law Board and submitted to the Committee, and a Bill introduced in a form to make all the changes at once. With respect to another part of the subject, it was now thirty years since a strong recommendation had been made to abolish the Gilbert unions, as most mischievous in operation. But threatened men, it was said, lived long, and perhaps the same thing might be said of threatened institutions. Gilbert unions were still in existence. Though not entirely concurring in the sweeping censure which had been passed upon them, he thought the few Gilbert unions which remained, making it inconvenient to work the Poor Law in their neighbourhood, should be put an end to, and the parishes of which they were composed incorporated with other unions. Some such change was necessary if the Poor Law unions were to be made of convenient size. For various reasons he thought boundaries of unions required revision, not as was insisted on by the hon. Member (Mr. Bentinck), with the view entirely to equalize the charges between the different parishes or unions, but really with a view to the convenient working of the Poor Law. The Commissioners who formed the greater part of these unions were themselves of opinion that eventually it would be necessary to revise them, and this independently of the principle that unions were to be the areas of local taxation. The next question was the very important one of the incidence of the rate. This was another reason for sending the Bill to a Select Committee. The Bill laid down the principle of parochial rating, except where it was not possible to collect the rate on that principle. It was said there would be no great change as to rating, but he could mention two parishes in the union of Darlington where the rates would be raised, in one instance, 318 per cent, and in the other 1,750 per cent by the operation of this Bill. The increase of the poor rate within the last ten years had been very large. In 1853 it was £6,500,000, in 1863 it was upwards of £9,000,000; showing an increase in ten years of £2,652,000. Then there was another point, and that was, that the poor rate was raised from only half of the property of the country. The amount raised by income tax on schedules A and B was very nearly equal to that raised from schedules C, D, and E, but the poor rate was levied only on the property comprised under schedules A and B. Now he asked the House whether that was a fair way of levying the poor rate? He might quote authorities on the question whether the levying of the poor rate from only one description of property was fair or reasonable. The first authority he should quote was the Report of the House of Lords' Committee in 1850. They had gone very minutely into the question, and examined all the highest authorities on the subject, including the late Sir George Lewis. The fifth Resolution of the Report of that Committee stated that the relief of the poor was a national object towards which every description of property ought justly to contribute. The statute of Elizabeth contemplated this according to the ability of every man. It was quite clear from the evidence given before the Lords' Committee that Sir George Lewis thought the existing mode of levying the poor rates was not an equitable one, and that he had only been deterred from dealing with the matter by those difficulties which he pointed out in the course of that evidence. He might be asked what probability there was of a Select Committee being able to select some mode of levying the poor rate other than by raising it all from real property. No doubt a certain *onus probandi* rested on those who argued for making other than real property liable for poor rate to show that that was practicable. He believed that if a Committee were appointed suggestions would be made to it of a nature not open to objection. No doubt it would be excessively difficult to ascertain, for the purposes of a local tax, what was the amount of personal property which each person possessed; and if the relief of the poor were thrown upon the Consolidated Fund, the public would lose the benefit of local knowledge and vigilance. But the proposal of the hon. Member (Mr. Knight) avoided the dilemma, for if one-half of the relief of the poor were placed upon the national purse, personal property would be made in a measure to contribute, and if one-half were left to be raised by local taxation, a sufficient security would be taken for the due and economical administration of the fund. At all events, the majority of the ratepayers of the kingdom, who by the Bill before the House would have an additional charge put upon them, were entitled to have their case fully heard; and if a Select Committee had inquired into the subject, those ratepayers would feel that justice had been done to them even though they might not be pleased with the result. As against the delay which an inquiry of that kind would involve, it was said that the evils arising from the removal of the poor should be at once put an end to. Now, he had taken the last Return of removals which had been issued that for the year ending in 1863. He wished the Returns had been brought down later, because an Act was passed in 1862 altering the term of residence, and there could be no doubt that it had tended to diminish the number of removals. He found by the Return to which he had referred that for the year ending in March, 1863, the number of orders executed for removals from union to union was 5,689, and the number for removals between parishes in the same union 366; and that, while the total cost of removals was £19,184, the cost for removals between parishes in the same union was £1,151; so that this Bill would only apply to 6 per cent of the entire of the removals, and to an outlay of £1,151, out of a total expenditure of £19,184. More recent Returns would, doubtless, have placed the matter in a still more striking light. He came now to the question of close and open parishes—and here he had a confession to make which he was not certain ought not to send him to the bar clothed in penitential garments. He was the proprietor of one close parish, and part proprietor of another — if by a "close parish" was meant a parish in which there were no cottages. A Return on the subject of close parishes would have been very desirable; but hon. Members were snubbed when they asked for Returns. The two places to which he referred were "parishes" in Poor Law parlance; but in reality they were townships, maintaining their own poor. One was only 400 acres in extent, and the other only 500. He would explain the circumstances of those townships, and he believed his explanation would apply to a great many other close parishes in England. Those parishes were so near to villages where there was abundant accommodation for the poor that there was no difficulty in the labourers finding fit residences at a distance not exceeding half a mile from their work. For the last two centuries the proprietor of each of these parishes had been so largely interested in the neighbouring ones that it was a question of absolutely no importance to him where his labourers lived. The worst instances of want of cottage accommodation existed in certain open parishes with which he was acquainted. He believed that the number of cases in which the present system offered an impediment in the way of the building of cottages had been much exaggerated. The real reason why better cottages had not been built — which was felt in the open more than in the close parishes—was that the labourer had not been able to pay a rent that would yield a fair Return for the capital invested. But the greater demand for labour and the rise in wages would cause a great increase in cottage-building, and in that manner the evil would find its most effective remedy on a large scale. He desired to see the Bill sent to a Select Committee, in order that inquiry might be made as to the incidence of the poor rates, as to whether the Gilbert unions ought not to be done away with, and as to the re-adjustment of unions. When the Committee had reported, the Government would be enabled to draw up a comprehensive Bill to be introduced next Session for the consideration of the new Parliament, and which might effect a permanent settlement of that question. He concluded by moving that the Bill be referred to a Select Committee.

Mr. FERRAND said, that as he found he could not consistently with the rules of that House bring forward the Motion of which he had given notice as a substantive question, he begged to second the Motion just made by the right hon. Member for Whitby (Mr. Thompson), than whom he believed no hon. Gentleman was better qualified to deal with that subject as it affected the agricultural interest. It was an extraordinary circumstance that, in the speech in which he moved the second reading of the Bill, the President of the Poor Law Board (Mr. C. P. Villiers) never once alluded to the manufacturing districts. He had listened attentively to the right hon. Gentleman, expecting that he would have justified the introduction of this measure into the manufacturing districts of the north of England; but the right hon. Gentleman did nothing of the kind, although he could deliver a long speech full of bitterness towards the agricultural interests and the parochial system. In consequence of that omission, he (Mr. Ferrand) had felt it his duty to place on the papers of the House the notice of Motion which he found it was now incompetent for him to bring forward. The statement he was about to make would have fully justified him in proposing that Motion, and if he now showed it to be grounded on substantial facts, a strong case would also be made out for referring that Bill to a Select Committee. His notice of Motion was as follows:—

> "The poor rates in aid of manufacturing wages have been and are still systematically levied in the manufacturing districts on agriculture, with the sanction of the Poor Law Board, whereby the burdens on land are grievously increased, and the worst features of the old Poor Law are maintained. That the Union Chargeability Bill will greatly extend the area of this unjust taxation, impose ruinous burdens upon agriculture for the benefit of manufacturers, and create serious discontent."

That Bill had been denounced in that House as an unjust measure, and denounced in all parts of the country as one of spoliation. Its second reading had been carried by a majority of seventy-two, and no doubt the right hon. Gentleman thought he would be able to carry it through the House. But he would remind him that the second reading of the New Poor Law Bill of 1834 was carried by a majority of

319 to 20 in that House, and what was the consequence? A spirit of hostility sprang up against that Bill throughout the country. It was enforced in the manufacturing districts at the point of the bayonet, unions were garrisoned by the military; but, in spite of the leading men on both sides combining to maintain that law, after a struggle of twelve years public opinion proved victorious against all opposition, and the harsh clauses of the measure were repealed. By the petitions presented to that House against the present Bill they found that the same spirit of hostility would be roused against it if it became law as was roused against the measure of 1834. He therefore entreated the right hon. Gentleman to consider well whether it would not be wise to adopt the Motion of the hon. Member for Whitby, and allow the Bill to be referred to a Select Committee, who, after taking evidence, would be enabled to report in a manner which would convince the people that every attention had been paid to making the measure subservient to the best interests of the country. The right hon. Gentleman said the Bill had been recommended unanimously by a Committee of that House, and no doubt that was quite correct; but on reference to the proceedings of that Committee he found that no member of it was in any way connected with the manufacturing districts of the north of England. The hon. Member for Manchester, it was true, was a member of the Committee, but he was absent when the resolution for a union rating was agreed to. In moving the second reading of the Bill the right hon. Gentleman charged the agricultural interests with pulling down many cottages, with allowing the rest to be over-crowded, and causing the labourers to be employed on farms at a great distance from their work; but he forgot that the original promoters of the New Poor Law Bill of 1834 insisted on the landed property of the country being cleared of its poor inhabitants, and advocated the demolition of cottages as the only means of getting rid of improvident marriages and a surplus population. When the Bill of 1834 was undergoing discussion in that House, the Poor Law Commissioners were in communication with manufacturers in the north of England, receiving and accepting offers from them to sweep the agricultural districts of their population, and to absorb it in their factories. In that way, under the advice of the Poor Law Commission and the original promoters of the new Poor Law Bill, cottages were demolished and changes brought about which would for ever fill a dark and disgraceful page in our national history. A system of relief in aid of wages was introduced which inoculated with a spirit of dependence many honest self-reliant people who had previously scorned the name of pauper. No man had argued more ably than the right hon. Gentleman himself as to the necessity of an economical management of farms; and the agriculturists had been told over and over again that they must introduce machinery into their operations, and so save the expense of manual labour. That was the advice which was given to them, and they had followed it. They were using machinery, and thus diminishing the demand for labour, and now the right hon. Gentleman charged them with having got rid of the labourers and demolishing their cottages. What became of the agricultural labourers when the use of machinery had rendered their services in the country unnecessary? Why, they were compelled to go to the towns, to which they had been driven by the free trade policy of which the right hon. Gentleman had been so able and so consistent an advocate. When the right hon. Gentleman sent Inspectors to the agricultural districts in order to obtain materials on which to found this measure, why did he not also send to the manufacturing districts in order to ascertain how matters stood there? Had he done so, he would have found that a similar state of things existed in the north as in the south of England. There was not one millowner in fifty that provided the whole of his workpeople with cottages, and in his own neighbourhood he knew that many of the operatives had to walk one and two miles to work, and if they were not at the mill by six o'clock in the morning they had to pay a penalty. Even if the manufacturers built cottages for their hands, they charged 6 or 8 per cent on the sum expended, and they took good care on Saturday nights to deduct from the workman's wages the amount of the rent. But since the right hon. Gentleman had been so severe upon the agricultural districts, he would read a portion of a speech made by the right hon. Gentleman on the 18th of June, 1863. In speaking of the towns of Lancashire he said—

"There was a lamentable need of all those requirements which, according to our modern views of civilization, are essential to promote health, cleanliness, and general convenience."

He saw in the *Leeds Intelligencer* of last Saturday that eighteen persons were living in two rooms, there being a large accumulation of vegetable and other decaying matter in a cellar beneath, and the two medical officers under the Board of Guardians declared before the magistrates that a more disgraceful place was scarcely to be found in the town, the qualifying word "scarcely" showing that there were other equally disgraceful places in Leeds. He did not bring this matter forward as a charge against the authorities of Leeds, as he had no doubt those persons had done their best to put a stop to such a state of things, but merely to show that so long as there were different grades among the poor, some—it might be, perhaps, the idle, the dissolute, and the drunken—would crowd together in unwholesome places. If blame were not to be attached to the town of Leeds, surely none ought to be thrown upon the inhabitants of agricultural districts in the event of similar cases being discovered. What right, therefore, had the right hon. Gentleman deliberately and continuously throughout his speech to make a series of charges against the agricultural districts for permitting a state of things which they had no power to alter? He would not pursue that part of the subject further, as doubtless hon. Members representing agricultural districts were fully capable of defending themselves from the aspersions of the right hon. Gentleman. He would, therefore, proceed to the subject of which he had given more immediate notice. But first he must remind the House that the right hon. Gentleman, in moving the second reading of his Bill, said, "The parochial system is very dangerous to property." He would remind the right hon. Gentleman how the New Poor Law had been administered in the manufacturing districts. The New Poor Law of 1834 was passed to put a stop to relief in aid of wages in the agricultural districts in the south of England at a time when such a system was unknown in the north. In consequence of the vast increase in labouring populations the guardians of the poor in the north were afterwards compelled to introduce the system. Thus, the result of the New Poor Law of 1834, which was professedly founded upon uniformity of system and unity of practice, was that the system of relief in aid of wages was abolished in the south and made the rule in the north.

Before he brought under the notice of the House the state of things in the north he would read an extract from the speech of Lord Brougham in moving the second reading of the New Poor Law Act on the 21st of July, 1834, showing the effect of the relief in aid of wages system in the south. That noble and learned Lord said—

> "Parish allowance is far worse than any dole of private charity; because it is more likely to be abused; because it is more certain in its nature, because it is better known, more established —because it approaches in the mind of the poor to the idea of a right. This terrible system has led, among other evil consequences, to the Act of 1796, which provided for the relief of the poor in their own houses, and was, in fact, the introduction of the allowance scheme—a scheme which provided for the partial payment of wages out of the poor rates, and which in its operation has been productive of all the worst mischief that might have been expected from such a source. . . . I will not say that many farms have been actually abandoned. I will not say that many parishes have been wholly given up to waste for want of occupants—(I know that there are instances of farms here and there, and of one parish in the county of Bucks, I think, which has been reduced to this state)—I will not say that as yet the system has so worked as to lay waste any considerable portion of territory. That it has a direct and necessary tendency to do so; that unless its progress be arrested it must go on till it gain that point—that before long we must reach the brink of the precipice towards which we are hurrying with accelerated rapidity; that the circumstance of one parish being thrown out of cultivation inevitably and immediately tends to lay three or four others waste, and that this devastation, gathering strength as it proceeds, must needs cover the land. Of these facts no man who consults the body of evidence before your Lordships can entertain the shadow of a doubt. Stand where we are we cannot."—[3 *Hansard*, xxv. 222, 230.]

Now, if the Bill were referred to a Select Committee, he pledged his word to bring evidence to show that the relief system in aid of wages was carried on in the manufacturing districts of the north to a far greater extent than it had ever been practised in the south when the noble and learned Lord made his speech. Before 1834, when the Act was passed, the name of "pauper" was, in his (Mr. Ferrand's) district, regarded as a disgrace, whereas, now, not the slightest shame appeared to be attached to it, and relief in aid of wages was demanded by the working classes as a right. He would now explain how it was that this system had been adopted. Trade became depressed, and mills worked short time. The operatives went to the mill on Monday morning at six o'clock, and found the door closed. They were told that there was no warp or no weft, and that they must come again in four or five days; but the same state of things frequently continued for weeks. This threw the people upon the union. In other cases mills were running short time, say three days a week; and he would state a case:—A man, who had a wife and six children, worked in a factory during the three days and earned 6*s.* He went to the Board of Guardians and said that he had come for his allowance. The Board said they would allow 2*s.* a week each for the husband and wife, and 1*s.* 6*d.* for each of the children under sixteen; making in all 13*s.* The man had earned 6*s.*, and they ordered the relieving officer to give him 7*s.*, to make up the 13*s.* That was the regular system upon which the poor in the north were relieved, and he wished to know whether anything worse had ever existed in the southern agricultural districts previous to 1834. It often happened that the mills were closed for one, two, or three months, owing to depression of trade, and during that period the people were still living in their mill cottages. They were maintained by outdoor relief. It very often happened that a man was ordered to break stones before receiving relief; but if this were suggested in reference to a faithful servant and high spirited man, some of the Guardians under the parochial system would know him, and would say, "Don't send that man to the stone heaps, it will break his heart; give him his relief and let him go home." He had himself repeatedly pressed this course upon the Guardians. Again, when trade was flourishing the workmen might strike, and the whole of the time during which they continued out of work they lived in their cottages upon the poor rate. The result was that the children became ill from want of sufficient food, the medical officer was called in, and thus additional expense was cast on the fund for the relief of the poor. Moreover, the cost of all the sick, crippled and diseased paupers, connected with manufactures caused a fearfully heavy drain on the poor rate. He had received from the relieving officer of the parish of Bingley, in which he resided, a Return of the number of people who had received relief from the poor rate in aid of wages or because they had no work, and the relieving officer stated that he had been relieving officer since April, 1857, and that during that time, to the best of his knowledge, a purely agricultural labourer in that parish had never become chargeable to the poor rate. The Return included the names of Moses Rhodes, wool-comber, earning 7*s.*, and who was relieved to the extent of £3 5*s.* on account of insufficient earnings; Joseph Pickles, twister, no work, relief granted £2 16*s.*; George Ratcliffe, power-loom weaver, no work, relief £1 16*s.*; Henry Holstead, power-loom weaver, no work, relief £4 1*s.* 8*d.* He could give several other instances, but he would not take up the time of the House in so doing. He would now read to the House the rules of the Guardians of Keighley, which were these—

"Rules of relief in Keighly Union—Able-bodied paupers, as regards relief given by the Guardians when out of work is a little varied, but, as a rule, 2*s.* each for the heads of the family, and 1*s.* 6*d.* each for the children under sixteen years of age. Relief given in aid of wages earned by the family when the head of the family is out of work or short of work, is much the same as the above, but it is difficult to define the exact sum given in all cases. Able-bodied paupers, (when the application is on account of no work) work at labour test, as stone breakers at present."

He (Mr. Ferrand) had asked for Returns in reference to the payments in aid of wages in two unions in the manufacturing districts, but the right hon. Gentleman had not allowed him to have that portion of the Return which referred to that matter.

Mr. C. P. VILLIERS said, the hon. Gentleman knew he did not refuse; he knew who did refuse the information, and he had the letter in his hand.

Mr. FERRAND was going to read the Return which had been drawn up in the right hon. Gentleman's own office. The right hon. Gentleman had allowed a Return of the amount paid in relief of the poor, in maintenance and out-relief, distinguishing the classes of persons relieved; but why was the relief paid in aid of wages not given? It was because the right hon. Gentleman knew that the adoption of such a system was illegal; and that the foul blot of relief in aid of wages was fixed upon the north of England to a greater extent than it ever had been upon the south. The right hon. Gentleman was quite right in saying that this part of the Return was refused by the Boards of Guardians, and what did the clerk of one of the unions (Bradford) say? He said that the applications for relief were contained in about 150 books, each comprising about 200 pages, and this extended over the period to which the Return moved for applied, fourteen years. The clerk of the Keighley Union said that the Guardians passed a resolution that it was impossible to make the Return because the books containing the information were of the aggregate thickness of five yards. Now, no doubt, a large majority of the applications were for relief in aid of wages. So far as he was able, from a Return placed on the table of the House by the right hon. Gentleman, he would state the amount of money expended from 1849 to 1862 for indoor and outdoor relief and other purposes in the Keighley Union, which consisted of six townships, in three of which manufactures preponderated, and in the other three agriculture preponderated. The population of the six townships was 43,122; and in the township of Bingley, the population of which was 13,254, the sum expended during the fourteen years from 1849 for in-maintenance was £2,744; for out-relief, £23,413, and for all other purposes, £17,446. In the township of Haworth, with a population of 5,896, the amount paid for in-maintenance during these fourteen years was £1,190; for out-relief, £19,387; the amount paid for all other purposes being £8.686. In the Keighley Union, with a population of 18,819, the amount paid for in-maintenance was £3,670; for out-relief, £36,723; poor rate for all other purposes, £24,515. Altogether the in-maintenance was £7,604; the out, £79,533. That was a startling fact connected with the relief in aid of wages. These were the three townships in which manufactures preponderated. He now came to the three agricultural townships, in all of which there were mills. In Morton, with a population of 2,113, the amount paid for in-maintenance was £556; for out-door relief, £3,510; for all other purposes £2,865. In Steeton, with a population of 1,341, for in-maintenance, £71; for out-door relief, £1,970; for all other purposes, £2,375. In Sutton, with a population of 1,699, for in-maintenance, £128; for out-door relief, £4,610; for all other purposes, £2,624. For fourteen years, then, the in-maintenance was £8,358; for out, £89,623, or eleven times as much. He came now to the Bradford Union, in which there were four townships, with a population of 106,218. In the township of Bowling there was a population of 14,494; the amount paid for in-maintenance was £2,189; for out-door relief, £15,246; for all other purposes, £17,211. In Bradford, population 48,646, the amount paid for in-maintenance was £23,348; for out-relief, £84,848; for all other purposes, £86,857. In Horton, population 30,189, the amount paid for in-maintenance was £7,736; for out-relief, £34,047; for all other purposes, £32,989. In Manningham, population 12,889, there was paid for in-maintenance, £1,653; for out-relief, £10,058; for all other purposes, £13,887. Altogether the in-door relief in the Bradford Union was £34,926; the out was £144,199; the expenditure for all other purposes, £150,944. Thus the Bradford Union, with a manufacturing population of 106,000, spent in fourteen years £35,000 in in-maintenance, and £144,000 in out-relief—four times as much in out-relief as in in-maintenance. The Keighley Union, with a large manufacturing and a considerable agricultural population of 43,000, spent in the same period £8,000 in in-maintenance, and £89,000 in out-relief, being eleven times more for out-relief than for in-maintenance. This was a startling result of the system of relief in aid of wages, and it was shown by the Return of the right hon. Gentleman himself. He would test this with another statement. He had taken three prosperous years and three depressed years in each union, for the purpose of showing the House the great comparative rise in the amount of out-relief in the three depressed years. In the Keighley Union, in 1855-57, three depressed years, the in-maintenance was £1,851, the out, £24,794; in 1860-62, three prosperous years, the in-maintenance was £1,810, the out, £17,591, showing an increase in the in-maintenance in the depressed years of £41, but of the out-relief of £7,203. In the Bradford Union, in the three same years of depression, the in-maintenance was £11,980, the out-relief, £39,056; in the same three years of prosperity, the in-maintenance was £7,584, the out-relief, £20,869, showing an increase of the in-maintenance in the years of depressed trade of £4,476, of the out relief of £18,187. The right hon. Gentleman proposed to extend this relief-in-aid-of-wages system into the agricultural districts of the union, and while the Bill had been under discussion, a letter appeared in the *Standard*, headed "Union Chargeability Bill," in which the writer confirmed his views. He contended that this would be disastrous to the ratepayers there. If it had not been for the parochial system, and if the guardians had not been well acquainted with the applicants for aid in each parish, the startling amounts he had mentioned would have been much greater than they were. Suppose a union rating existed. In that case, instead of having mills closed for three or four days a week they would be closed altogether, because the masters would have their workpeople paid from the funds of the whole union instead of from the rates of the township in which their mill was rated. The right hon. Gentleman was now propounding doctrines very different from those used by him twenty or twenty-five years ago, when he denounced the conduct of the agriculturists as selfish. How often had he heard the right hon. Gentleman taunt the agricultural interest, and tell them they were whining for protection, and had no business to tax the towns for the benefit of the agricultural interest. He remembered Mr. Cobden declaring that all the manufacturers required was to be let alone, and they would feed and pay their own workpeople. But on the 25th of June, 1844, the right hon. Gentleman said—and this was the hardest nut ever given the agricultural interest to crack—"No right can be allowed to any portion of the public to enforce taxation on the rest." But what was the Bill before the House? Why a Bill to enable towns to tax the agricultural districts. To-night he (Mr. Ferrand) retorted and said, "Let not the towns tax the country districts." Free trade was established in 1846 on the compact that manufactures and agriculture should henceforth bear their respective burdens. But what did the right hon. Gentleman require? He asked Parliament to violate that compact by the Bill now before the House. For the Bill was one to allow towns to tax agriculture by levying on the agriculturists a rate in aid of the wages of the manufacturers. There was a general impression abroad that before long there would be a great stagnation in Yorkshire. His hon. Friend the Member for Bradford laughed, but what would be the result, if the price of cotton dropped to sixpence a pound, to the woollen trade? He would not be surprised to find the agricultural districts called on for an enormous amount of money to aid the manufacturers in feeding their factory hands. This would lead to confiscation in the agricultural districts. If this Bill passed, it would produce an immense amount of envy, hatred, and malice. He did not know why the hon. Member laughed. Suppose he was a farmer, and the overseer called on him for a double or treble rate for the relief of the manufacturing population of a town perhaps ten or fifteen miles off, and that demand took the last shilling from his pocket, and left him a pauper, it would be no laughing matter. But this Bill, if it became law, would bring such misery and distresss on the heads of thousands. At present, while land was rated at its full annual value, mills and manufactories were assessed at a much smaller amount. He would trouble the House with a statement with regard to two mills and with regard to 225 acres of land as affected by rates. The first mill was rated at the annual value of £659, and to the rateable value upon which it paid the rates only £494, or £165 less than the real annual value. That mill employed 800 hands. The second mill was rated at £567, and the rateable value of £401 or £166 less than the real value. That mill employed 750 hands. The 225 acres were rated at the annual value of £450, and the rateable value also was £450, while the workpeople employed were about twenty in number. The farmer had to pay towards the hands employed in one mill, 800 in number; in the other, 750. The land was rated at the full value, the mills at two-thirds. This was a fair reason why the right hon. Gentleman should consent to the appointment of a Select Committee. But the farms in the manufacturing districts were to a great extent on poor land, which had been often taken on improving leases at low rents. Many of them were enclosed forty or fifty years ago on the waste wolds, many were on hills, exposed to severe frosts and heavy storms, with little labour employed on them; and these farms were to be liable to be rated for the distress in the manufacturing districts. These farms would never have been brought into cultivation had this proposed taxation of them been for a moment imagined. But it was not the landed interest alone that would suffer from this Bill. There was a large number of mills scattered over the agricultural districts, some worked by mountain streams, others by small engines, and here the manufacturers served their apprenticeship, and having obtained a little money, started in the towns. But this Bill would tax these small mills in the country for the benefit of the larger manufacturers in such towns as Bradford and Halifax. The right hon. Gentleman had spoken of the towns as having high rates to pay. But if they had they drained all the money of the surrounding districts, because the labourers came into the towns on the Saturday night and spent their wages there. Before he sat down he would just call the attention of the right hon. Gentleman to the case of the North Byerley Union, which extended nearly twenty miles in length. One portion of it run up into the Moor districts, and the other down to the densely populated neighbourhoods of Leeds and Bradford. The effect of the operation of this Bill would be that the small farmers and manufacturers in the neighbourhood of the moorlands would have to pay for the relief of the poor in the Low Moor Iron Works, which did not contribute anything towards the poor rates. He entreated the right hon. Gentleman to allow the Bill to be sent to a Select Committee, before which the system of granting relief in aid of wages, which was a violation of the law, could be thoroughly investigated.

Amendment proposed,

To leave out from the words "That the" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Thompson,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. W. E. FORSTER said, there was this difference between the former and present state of things adverted to by the hon. Member for Devonport, that while many years ago there was a strong feeling amongst the poor that their interests would be injured by the change proposed in the operation of the law, they now believed, on the contrary, that they would be benefited. The hon. Member, who directed his arguments chiefly to the effect of the Bill on the manufacturing districts, asserted, first, that a certain agricultural district in the neighbourhood of which they both resided would be more heavily taxed under the proposed Bill, and, secondly, that the increase would be the more unfair, because, he said, it was the practice to give relief in aid of wages. At the second reading the hon. Member told him that he (Mr. W. E. Forster) had an agricultural constituency. He presumed that the hon. Member had since found out that such was not the case. The union of Bradford was the borough of Bradford and consisted of a manufacturing population. The hon. Member stated that of the six townships of the Keighley Union three were agricultural and three manufacturing. It would be, however, difficult to find a district more completely manufacturing than the whole six townships. The hon. Member asserted that the three townships which he called agricultural would be rather more heavily taxed after the passing of this Bill than they were at present. He had, however, gone through the Return, and he found that the three townships which the hon. Gentleman called agricultural were at the present rather more heavily taxed than the three he called manufacturing. He had received from the clerk of the Board of Guardians at Bradford a letter explicitly denying that the practice of giving relief in aid of wages ever existed during the fifteen years he had been in office, and this was confirmed by the three relieving officers. Mr. Farnall, who was at one time officially connected with the district, fully bore out this statement. He (Mr. W. E. Forster) was chairman of the Board of Guardians some years ago, and no such practice prevailed then. The hon. Member gave three or four instances in which relief had been given in aid of wages "or to men out of work" at Bingley. There was, however, an enormous difference between the two class of cases. If the hon Member said relief was given to men out of work—of course it was; what would the House, or what would any humane person, think if it was not? Several years ago, when the New Poor Law was passed, the hon. Member was foremost in the agitation against it, and he could not look with much pleasure on all the language he used at that time—but he was then against the in-door test, although now he seemed to think it ought to be applied. But that part of the Poor Law never was carried out in the manufacturing districts in Yorkshire. In the main the hon. Gentleman was right, for if at periods of depression of trade an attempt had been made to adopt the system of giving in-door relief in all cases of pauperism, the Board of Guardians would have been unable to meet such a change. The Boards of Guardians had ever since gone upon an opposite system of not forcing paupers to go into the workhouse if they could help it. When he (Mr. W. E. Forster) laid the first stone of the present workhouse at Bradford he stated that the building was intended for two purposes; first, as a refuge for the sick and aged who had no other home to go to; and secondly, as a test for lazy fellows who would not work elsewhere. That was the only system on which it was possible to work the Poor Law in the manufacturing districts, but it was not the system of giving relief in aid of wages. If a man were out of work for a few days, the guardians, instead of forcing him into a workhouse, gave him some relief. That of which the hon. Gentleman complained was really to the credit of the guardians, for if they forced the population during periods of temporary distress into the workhouse, they would be doing what was perfectly unjustifiable. If, however, the hon. Gentleman meant that any system existed analogous to that which formerly prevailed in certain agricultural districts, and by which the manufacturers paid the wages of their men or a portion of their wages out of the rates, he could only give the strongest denial to such a statement. The practice was utterly non-existent in any of the manufacturing districts of Yorkshire, and his hon. Friend near him could, he believed, say as much for Lancashire. He would agree with the hon. Gentleman that there were not enough cottages in the district, but if additional cottage accommodation were not provided, it was mainly because the demand had increased more quickly than it was possible to build the cottages. The hon. Member spoke of the ill condition of the cottages, and he (Mr. W. E. Forster) would not say that it was not a subject to which attention ought not to be constantly directed. But that had nothing to do with the question at issue so far as the manufacturing districts were concerned, although he believed the present state of the law had much to do with it in the rural districts. In the manufacturing districts it was to the interest of the employers to have a good supply of labour, and they knew they could not have that without plenty of cottages around their mills; but the action of the law as it now stood was to tempt the owners of property in the agricultural districts to decrease cottage accommodation, even where the population was increasing. He made no charge against the agricultural interest when he said that that temptation ought to be taken from them, as it would be by this Bill. The law operated to tempt the landowners and farmers to decrease the number of cottages, and that that statement was not without foundation might be seen by the seventh Report of the Medical officer of the Privy Council, which, he might add, completely bore out what had been said by the President of the Poor Law Board on the second reading of the Bill. Dr. Simon, who, he believed, was the chief Medical Officer of the Privy Council, and who was therefore responsible for the whole of the Report, said at page 9—

> "To the insufficient quantity and miserable quality of the house accommodation generally had by our agricultural labourers, almost every page of Dr. Hunter's Report bears testimony. And gradually for many years past the state of the labourer in these respects has been deteriorating—house room being now greatly more difficult for him to find, and, when found, greatly less suitable to his means, than perhaps for centuries has been the case. Especially within the last twenty or thirty years the evil has been in very rapid increase, and the household circumstances of the labourer are now in the highest degree deplorable."

Dr. Simon went on to say—

> "An extraneous element weights the balance heavily against him, and he loses the fair chances of free trade. The element to which I refer is the influence of the Poor Law in its provisions concerning settlement and chargeability. Under this influence each parish has a pecuniary interest in reducing to a minimum the number of its resident labourers; for, unhappily, agricultural labour, instead of implying a safe and permanent independence for the hard-working labourer and his family, implies for the most part only a longer or shorter circuit to eventual pauperism."

Now, he should be sorry to make such a statement as that did he not find it in an official book, substantiated by the authority of a gentleman who had extraordinary opportunities of obtaining information. ["Not from experience!"] But then he had ascertained his facts from those who had experience, and there was in them, he was afraid, at least some degree of truth. It became, then, a matter of serious consideration whether there was any law which tended towards the pauperism in question—"a pauperism which," to use the words of Dr. Simon—

> "During the whole circuit is so near that any illness or temporary failure of occupation necessitates immediate recourse to parochial relief; and thus all residence of agricultural population in a parish is glaringly an addition to its poor rates."

Dr. Simon then went on to refer to Dr. Hunter's Report, and he would trouble the House with a few extracts from that Report, which would be found at page 135. Dr. Hunter says—

> "One of the most powerful causes of insufficient cottage accommodation is the system of close and open villages, a system which prevails through all the Midlands and East of England, and which is doing much mischief by its operation on the quality, quantity, and locality of cottages. It is a hiding

away of the cottage population in certain villages, and this is effected by unsparing destruction in others. There are in all counties show villages, where the cottages have been reduced to but a few, and where none but persons who are needed as shepherds, gardeners, or gamekeepers, are allowed to live. In such nearly all the tenants are regular servants, and receive the good treatment usual to their class. But the land requires cultivation, and it will be found that the labourers employed upon it are not the tenants of the owner, but that they come from a neighbouring open village, perhaps three miles off, where a numerous small proprietary has received them when their cottages were destroyed in the close villages around."

Then again—

> "No farmer of a neighbouring parish will tempt a man with children to disturb his parish settlement, for fear of throwing him on the common charges. The man himself, although he knows that he might find work thirty miles off on a railway or great public work at 2*s.* 6*d.* a day, is not only without the capital to start without danger of apprehension for desertion, but has a vague fear of losing his settlement and being thrown among strangers in his old age."

He also found at page 127 the following passage in Dr. Hunter's Report:—

> "Much attention should be given to those notes. It has been stated with too much boldness, and the statement is universally accepted, because agreeable (no doubt it is true within the limits of the words in which it is put), that the agricultural labourers of England have not diminished in number in the past thirty years. But, though this be true, how different is the whole truth! The agricultural labourers remain within England; they are in the towns. It is the rural labourers who are being swept away, and many people, deceived by confusing the terms, have applied the deceptive solace to a suspicion of something going on wrong."

He confessed he had supposed the state of things was not so bad as was represented, and that there had been a considerable improvement within the last few years. He did not, however, pretend to much personal experience in the matter, although he had some. As hon. Gentlemen seemed to wish it he would give them what personal knowledge he had. He recollected having gone, not very long after the ten hours' agitation, in which he had taken a part in favour of the Ten Hours' Bill, into a country district in which a hard working, excellent clergyman, a friend of his, resided. It was a parish without those advantages which he admitted generally flowed from country gentlemen living near their labourers. This gentleman told him certain things about these close and open parishes which he could scarcely believe. He described them to be exactly as stated. The labourers in the parishes about him did not live in them, and therefore they were not in proximity to the gentry for whom they worked, but they went to the open parish some three or four miles away. He (Mr. Forster) said to his friend, "There has been a great deal done by several persons in this neighbourhood in building cottages," and to his surprise he found out that what had been done was very much in the direction of what was called the showy system immediately around the park gates, and had been productive of no appreciable good result. He was, however, bound to admit that there had been of late a great many instances in which country gentlemen had expended large sums of money on their property with a view to remedying the evil to which he referred, but then their efforts were of necessity so isolated as not to meet the requirements of the case. He made no complaint against the landowners on that account; indeed, he did not believe the manufacturers would do better. Men generally acted according as their interests dictated, and if the law enabled them to do something that was not for the good of their neighbours, but for their own or their fancied good, they would, generally speaking, take advantage of that law. The real fact was this—They had in their Poor Law at present a system under which it was to the interest of the employers engaged in the most important interest in the country—that of agriculture—in very many cases to put their labourers at some distance from them, and to drive them off to cottages three or four miles distant from their work. But then it was contended that to alter the law so that it should no longer be their interest to do so, would be to transfer the burden of relief. It should be, however, borne in mind that a transfer of that burden had long been going on, for the employer had been transferring the relief of those whom he employed to some one else. If, then, the burden were retransferred and placed on the right back no more than justice would be done, although the employer would naturally complain. He was not, of course, surprised to find that there was some outcry against such a proposal in the agricultural districts, because no man liked a burden from which he had escaped for years to be re-imposed however just it might be. But it was much to the credit of the residents in the agricultural districts that there seemed to be quite as much approval of, as opposition to it. By a Bill which had been passed by his right hon. Friend, making three years' industrial residence apply to unions, a very considerable transfer of burden in the case of the manufacturing interests was effected, but they submitted to it, though by some it was opposed. The introduction of the three years' industrial residence was a transfer of the burdens from the rural to the town districts, because before that the moment a man became chargeable he was sent away from the place of his work to Ireland, or into one of the rural districts, as it might happen, to which he belonged. He was also opposed to the system in his own union, but he was unfortunately always in a minority when such cases came before the Board of Guardians. When the three years' residence was proposed a deputation from Bradford waited upon him on the ground that it would be a transfer of the burden to the manufacturing districts, but when he explained the matter to them they declined to go farther. He was glad to perceive that the feeling in the agricultural districts was coming round in the same way, for the principle on which the Bill was based was that the burden should be put on the right back—the cost of maintaining the poor on those who employed labour—although it was impossible to deny that it scarcely meddled with a most glaring exception—the state of London at the present moment. If cases such as those from time to time occurring at Bethnal Green or other places in London happened in any agricultural district, or in one of the manufacturing towns, so strong a feeling would be excited that there would be little likelihood of their recurrence. The reason was that in country districts, and in towns such as Bradford or Leeds, people needing relief were better known to their neighbours, and more sympathy was felt for them, than in London, where the pauper class was a small and comparatively unknown class in the midst of an enormous population. For that very reason, as well as on account of the sense of injustice rankling in the minds of the ratepayers, it was all the more necessary that the House should devote attention to their case, and that the press should watch over their interests. With such flagrant cases as that of the St. Katharine's Docks it was no wonder that the taxpayers complained. Those docks, enclosing a vast amount of property and employing an enormous population, constituted a union in themselves, and, the rates having been bought up, none were now in existence. The population employed in the docks lived, of course, in the surrounding parishes, and, these being very heavily rated, the taxpayers in them felt as if the money was actually robbed from them, and hence the wants of the poor were not cared for with as good grace as they otherwise would be. He trusted this Bill would form a precedent for his right hon. Friend, and lead him to take up the important question of the condition of London very speedily. Looking to the period of the Session which had now been reached, any proposal involving delay must tend to defeat the Bill, because the two subjects which the hon. Gentleman wanted to inquire into—one, the getting rid of the Gilbert unions, and the other, whether they should extend rating to other than landed property—would necessarily occupy considerable time in the investigation. The present Parliament had accomplished very little, but if Members were able to return to their constituents and say that it had passed a Bill remedying one of the greatest practical evils affecting society, they would at least be able to point to its care for the interests of the poor man, in enabling him to bring his strong arm to work at any place where it could be used with most efficiency, and could earn in return the highest rate of pay.

MR. HUBBARD said, that he agreed with the right hon. Gentleman the President of the Poor Law Board that this Bill would remove the anomaly and grievance of close parishes, and he should be glad to assist the right hon. Gentleman in getting rid of it, but he felt that it was a measure that could not be hurriedly carried into execution. They must not forget that the close parishes had arisen from a system which had been in use for many centuries, and that persons interested in these parishes had inherited the property they enjoyed in them from generation to generation, or had purchased it under that system, and that, therefore, to make any sudden change would be to create considerable variation in the value of the property which they possessed. The discussion which had taken place had induced him to believe that to make the proposed change without its being connected with other concurrent measures would be to inflict great hardships on the rural parishes in unions with manufacturing parishes, as had been exemplified in the speech of the hon. Gentleman the Member for Macclesfield (Mr. Egerton). According to the hon. Gentleman's statement four manufacturing parishes in the union would be greatly relieved at the expense of the remaining thirty-seven rural parishes of the union. However grateful the four manufacturing parishes of which that Gentleman had spoken might feel towards the President of the Poor Law Board for introducing this Bill, it was evident that the thirty-seven rural parishes comprised in the same union must feel the strongest repugnance to the measure. These latter had no community of interest with the manufacturing parishes; they did not benefit by proximity to the town; they simply happened to be comprised in the same union, according to the geographical combination made by the Poor Law Board. He saw no reason why the union between manufacturing and rural parishes should be eternal; for them, as for unions of a more sacred character, a divorce court ought to exist. If the Bill were carried out in its integrity there would be endless complaints and discontent on the part of those who found themselves exposed to heavier burdens than they had been accustomed to under the old system. He, therefore, was not disposed to proceed further with this Bill without something being done to remedy the injustice there would be inflicted on the rural parishes to the benefit of the manufacturing parishes. This might be accomplished either by reconstructing the unions, or in some other way providing against it. The Bill would leave untouched the great question of exemptions. An hon. Friend of his gave notice of an Amendment upon the subject, and he (Mr. Hubbard) had himself placed upon the paper a similar notice, but he was told that both the proposed clauses would be incompatible with the Bill, and that they could not, therefore, be introduced in the Committee. The fact was, that the measure would not deal in any way with the number of important questions which could not for any length of time be left untouched. Under these circumstances he saw no other means of meeting the difficulties of the case than by referring the Bill to a Select Committee. Such a Committee could take the whole subject into its consideration, and although the proposed course might impede the progress of the present measure it would enable them to obtain, at some further period, a final and satisfactory settlement of the question.

Mr. HIBBERT said, that the hon. Member for Whitby had given four or five reasons for asking the House to go into a Select Committee on the Bill. The first was that time should be given to consider the distribution and size of the unions. He certainly was willing to admit that many unions were too large in their present state; but he could not agree in the argument that the townships in the immediate neighbourhood of towns ought to be allowed to dissociate themselves from the unions of those towns. The property immediately adjoining large towns derived great advantage, and was oftentimes largely increased in value, from the proximity, and it was but fair that as they shared the advantage they should also contribute towards the burdens. He could state of his own knowledge that land situated at a distance of five or six miles from Manchester let for £5 an acre, while land removed some five or six miles farther let for only £3 an acre. There would be no difficulty in altering the forms of the unions under the Bill, where, under the circumstances, it was practicable. He believed the Poor Law Board to be willing to consider the alteration of unions, but there were oftentimes difficulties in the way of so doing which hon. Members seemed to have overlooked. The outlying townships were frequently too small to form a union, and the unions around them refused to have anything to do with them. He knew this to be the case at Oldham. Another reason which the hon. Member for Whitby gave was that an opportunity should be given for considering the incidence of the rate on the various townships and parishes throughout the country. He believed that every person might know the incidence of the rate in his own parish. The hon. Gentleman also referred to the increase in the amount of poor rate. There was an increase, but he believed that the increase was not owing to what went to the real relief of the poor, but to other sources of expenditure. In 1855 the cost of maintaining the out-door and irremovable poor was £3,821,000, in 1863, it was £4,077,000, being an increase of only a quarter of a million in eight years. It was not fair therefore to lay the *onus* of the increase in the poor rate on the amount paid for the real relief of the poor. The hon. Gentleman said that relief was granted in Yorkshire and Lancashire in aid of wages, but he believed it would be difficult for the hon. Gentleman to lay his finger upon a single case of the kind. He was willing to admit that the statement that in Lancashire they granted a great deal of outdoor relief was perfectly correct, but when they found that they could maintain a pauper out of doors for 2*s.* or 2*s.* 6*d.*, and that the expenses attendant upon his indoor maintenance was 3*s.* 6*d.* or 4*s.*, they believed that in so doing they were not only treating the paupers in a more humane and considerate manner, but were also, at the same time, consulting the interests and the pockets of the ratepayers. It had been stated that if this measure came into operation the expenditure consequent upon the relief of the poor would be considerably increased, because the guardians would not bestow upon the subject that care which they did at present. He had had some experience in these matters, and he found that the irremovable cases were looked after with greater attention than the parish cases, because they had, in too many instances, with respect to the latter class of applications, to leave the decision as to the amount of relief to the guardians of the parishes to which the paupers belonged. If a guardian desired to be liberal in the treatment of particular cases, he could suggest to the Board of Guardians to deal favourably with them, but when there was a common charge every guardian would be anxious to save the pockets of the ratepayers of his particular parish. In 1855 the whole cost of the irremovable poor amounted to 4*s.* 11*d.* per head of the population; in 1863 it was only 4*s.* 8*d.* Therefore, if this Bill passed, the probability was that the expenditure upon poor relief would be diminished. Much had been said about the unequal way in which this measure would affect the farming interest, but he was disposed to believe that generally the farmers approved the Bill, and even if they had to pay more rates it would give them opportunities of obtaining labour from more extended areas than at present. A secretary to a farmer's club had written to *The Times* stating that the question had been discussed at many meetings of farmers, and the general, if not almost unanimous, opinion was favourable to this proposition. It would enable them to have a greater number of persons from whom they might choose their labourers; it would remove the temptation to which they were at present exposed of employing an inferior class of labourers, merely because they would otherwise have to support those people in the workhouse; and it would thus in some measure promote their real welfare. He would only further remark that the Bill would leave the question still in an unsatisfactory state, because it would not simplify the numerous subjects which came under the notice of Boards of Guardians. He did not think the Bill simplified enough the payments which were made through the Boards of Guardians. They had various payments to make which were not properly connected with the relief of the poor, and two of these at least should be removed from them, the vaccination fees and the fees for the registration of births and deaths. It would also still leave the guardians charged with the duty of allotting a great number of payments on the separate parishes. He trusted, however, that the House would go into Committee upon the Bill, because he believed it would do away with some abuses, and by giving a freer circulation to labour would tend to improve the position of the people.

MR. KNIGHT said, it seemed to him, that although the battle upon that question had been hitherto fought upon strong grounds, the strongest ground for opposing a union rating had not as yet been taken up. The only experience of a Poor Law in the world, with the small exception of Denmark, was in England; and if they wished to ascertain the probable results of any great change in regard to this subject they must look to the past history of the English Poor Law. He thought that history thoroughly established this fact, that no forced charity, by means of a Poor Law, could be worked successfully over any areas of chargeability except the areas of natural charity—areas in which the rich and the poor were known to each other, and in which the money was paid by those persons to whom, without a Poor Law, the poor would naturally turn for help in the hour of need. They would find that there had been repeated instances, extending from the first commencement of our Poor Law to the present generation, of large areas of chargeability having been tried — the result having been, in every instance, a reduction of these areas of rating from the proved impossibility of working them; and he felt quite certain, if this Bill passed, and large areas were again established in England, that the moment a real pressure came upon the rates those areas would be found perfectly unworkable, whilst the greatest confusion and misery would arise, and they would have to be reduced again to the areas of natural charity. When employment was pressing upon labour — when men could find work in all parts of England — we might almost get on without any Poor Law, but the moment the population pressed upon employment, and the moment a Poor Law became really necessary, not only in a single district, but all over the country, that which had repeatedly happened before would occur again, and the large areas would become one mass of inextricable confusion. Not only in England, but in Ireland and Scotland, these large areas had failed. The first instance is coeval with the existence of a forced Poor Law, which was first established in England by the 14th of Elizabeth. The burden of maintaining the poor was then thrown, not on each parish, but on the whole inhabitants of petty sessional divisions. That, however, was found not to answer. Twenty-six years afterwards the same Ministers who had introduced the system felt compelled to reduce the rating area, and by the 39th Elizabeth the parochial divisions were made the areas of Poor Law chargeability.

The next instance of the failure of large areas of chargeability occurred in the time of Charles II. when all the large parishes in England and Wales were divided into townships for the support of the poor. It was found at that time that in all the smaller parishes the law was better administered, and the wants of the poor better cared for than in the larger parishes, where, notwithstanding the existence of the law, many persons, old and young, had died from the want of the necessaries of life. The preamble of this Act of Charles II. recites that—

> "The inhabitants of certain northern counties and of many other counties in England and Wales, by reason of the largeness of the parishes within the same, have not, nor cannot reap the benefits of the Poor Law of Elizabeth;"

and the Act reduces the areas of chargeability in these large parishes to townships and villages. The effect of this Act was to increase the number of places maintaining their own poor in England and Wales from about 10,000 to about 15,000; and in these reduced areas the Poor Law has worked without difficulty ever since. The next great instance of the forced reduction of large areas of chargeability occurred in the present generation. In 1838, when the Poor Law was first established in Ireland, the Poor Law Commissioners had recently been beaten in their attempt to establish large areas in England. They, however, succeeded in establishing large areas in Ireland, and what was the result? Ten years later, when hard times came upon the people of the sister country, the Government had to appoint a Commission called the Boundary Commission to subdivide those large areas, and to reduce them to the areas of natural charity. The Boundary Commissioners state in their first Report that they found the unions in the north and east of Ireland in a far better condition than those in the south and west, and assign, as a chief reason, the fact that the electoral divisions were smaller and more nearly coterminous with property. Indeed they say throughout, that in their re-adjustment of the electoral districts they

> "Endeavoured to compose them of single properties, or groups of properties, in order that the stimulus and individual interest might be exerted for the improvement of the country and the condition of the people."

In their eighth Report, dated February, 1850, they say—

> "We found, as a general rule, that the largest town divisions were usually those in which the greatest pressure existed. . . . And we had little doubt that injustice was done to the more distant rural portions of those electoral divisions, by the support being thrown upon them of the persons who swelled the population of the towns. From this we endeavoured to liberate them, by confining the electoral division to the space benefited by its proximity to the town, and we departed from the parish boundaries, when by doing so we could make the town more central. . . . The areas, accordingly, attached to towns, will generally be found to be limited to lands within a circuit of one or two miles, and, so far as has been practicable, coterminous with the boundaries of properties. . . . In support of our general view of reducing the town areas, we may state, that we find the principal towns in the north of Ireland, as Londonderry, Belfast, and others, with very small areas; in the case of Londonderry, only 767 acres; while the rates on those towns have been moderate. In fact the very magnitude of the rateable district has been represented to us, and with great apparent reason, as one of the causes which has led to the present pressure on the rates, from the laxity which has been introduced by it, and not only as having caused it, but as likely to be ruinous in the end to the towns themselves."

Thus within our own time, and with all the advantages that could be derived from a central administration and from the union system, the principle of extended areas sought to be established by this Bill has been fully tried, and its signal and rapid failure has caused this third great national example of the forced reduction of widely extended areas of rating to the areas of natural charity—areas which allow of mutual knowledge and a common interest between the payers and the recipients of a forced legal charity. The stress the Commissioners place throughout as the advantages of the boundaries of properties being coterminous with those of areas of chargeability, affords a great practical contradiction to those who talk of the evils of such areas in England, and stigmatise them as close parishes.

Now, as regards the Scotch Poor Law, it should be observed that in the Lowlands, where the parishes were small, the law worked well. On the contrary, in the Highlands, where the areas for rating were immensely large, much misery and starvation have existed since the establishment of a New Poor Law in Scotland. He (Mr. Knight) believed that the proper remedy was pointed out in a passage which he recollected in the Report of the Scotch Commission of Poor Law Inquiry. It was there stated that, previously to the passing of the New Poor Law, some of these large Highland districts had in seasons of distress adopted a system which was called the "quartering system." The large parish was divided into five or six small quartering districts or neighbourhoods, and each house in these reduced districts took its turn in giving quarters to a certain portion of the poor and infirm. A division of the large highland parishes into such neighbourhoods for Poor Law chargeability, would, he doubted not, make the Poor Law in the Highlands a practical reality, and would be quite a parallel to the division of the large parishes in the North of England into townships. He hoped he might live to see such a division take place. There were many other instances of the failure of large areas of chargeability to work well—for instance, about the time of Queen Anne, some ten or twelve unions had been found for rating purposes by private Acts of Parliament. Most of these were of very small area, merely uniting the parish of a town. But the largest of these unions, Norwich, consisted of forty-three parishes, and in extent from 4,000 to 5,000 acres. Here the union system had worked as ill as possible, and Norwich had been ever since its union one of the most highly rated, and yet the most miserable district in all England. More complaints came from Norwich than almost any other union, and while it cried for a larger area, he thought it had too large an area at present. The late Mr. Buller, when at the head of the Poor Law Board, sent gentlemen round the country to inquire into the state of different districts; all seemed to have started with a determination to make out a case for union rating. The Commissioner (Mr. a'Beckett) sent to inquire into the condition of the poor of Norwich, and into the causes of its extreme wretchedness, says—

> "The subject of rating is beset with difficulty as far as Norwich is concerned, for its parishes are already united for the support of the poor, and whatever advantages are to be derived from the union system, it is now in the possession of. This system is found to be wholly inadequate as a remedy for the evils of which Norwich complains, and it is, therefore, no matter of surprise that the ratepayers should look to a national rate as their only hope of deliverance from the very heavy burden under which they are suffering."

The ratepayers of Norwich looked to a national rate as their only relief from the heavy burden of union rating. Now, he (Mr. Knight) contended that if they were to repeal the Act of Queen Anne, and allow the forty-three parishes of Norwich to form separate boards for the relief of the poor of each parish, the misery of that place would soon cease, and the rates would be reduced. Another instance of the failure of the Poor Law to work satisfactorily in large areas was that of the large London parishes. Here the administration of the Poor Law had broken down. The rates in some of them were very high, and the poor died in the streets of starvation. A few years ago the whole country was in a fire of indignation at the disclosures about the Andover Union; but a single weekly paper at any time during the winter would recount in the metropolis twenty times the horrors which were brought before the public on that occasion. He believed that a division of the large London parishes, such as was now being made for ecclesiastical purposes by the Bishop of London, and not an extension of the area, was the only mode in which relief could be obtained. In Paris, in 1848, we saw the experiment tried of putting a great city in one great area for the relief of its starving population. The attempt plunged the city in hopeless confusion. The expenditure became unmanageable, and the whole attempt was a miserable failure. It was another instance of the failure of a large area, and very possibly it was that which prevented the right hon. Gentleman at the head of the Poor Law Board from proposing to deal with London distress, which cried loudly for change, while he tried his experiments in the country when the Poor Laws were working tolerably well and without much complaint.

Against all these instances of the breakdown of the Poor Law in large areas, the President of the Poor Law Board brought forward only one instance of its assumed success. He had brought forward the case of Docking Union with a pæan of triumph as the one which settled beyond all doubt the superiority of union rating over the existing system; and if that case failed it might be considered as certain that no example was known to the Poor Law officials of a case of success. The President had relied wholly on the Docking case to exemplify the success that was to attend his plan. He (Mr. Knight) had therefore gone carefully into the case of Docking, and would show the House that no favourable precedent could be founded upon it. The President of the Poor Law Board (Mr. Villiers) had garbled the case in a manner common to Poor Law officials—by means of short statistics he had made out a case of success. But the facts were these: during the first eight years in which union rating had been established in Docking Union the poor rates had steadily increased to the amount of 19 per cent; then followed a decrease, not of Docking Union alone, but of most of the adjoining unions. Thus taking the average poor rate of Docking Union for the three years, 1846-7-8, before union rating had been established there, and comparing them with the average rate of the last three years, of which an account is published—namely, 1861-2-3, a decrease has taken place in the poor rates of Docking Union of 18 per cent. But during the same period the poor rates of the adjoining union of Swaffham has decreased 24 per cent; of the adjoining union of Aylsham 21 per cent; and of the adjoining union of Erpingham 19½ per cent. Now, it is not open to the right hon. Gentleman to say—Look at Docking, it has decreased 18 per cent, because it has adopted union rating, and to quote it as an overwhelming proof of the success of his plan, without its being pointed out that Swaffham had decreased 24 per cent, because it had adhered to the contrary system. The population of Docking Union had steadily increased in every census from 1801 to 1851, and it was not until union rating was established that a decrease commenced. Between 1851 and 1861 there had been a decrease of between 700 and 800 persons in nineteen parishes of Docking Union. Now the only clue to be found to this decrease was in the speech of the right hon. Gentleman in bringing in the Bill. He said (quoting the Chairman of Docking Union) that second rate or partially able-bodied labourers, if unable to find work in their own parishes, went further afield in search of work. It was clear that they went out of the union; in fact that they had been driven out of the union by the harshness and severity of the union system. Whenever the population in an agricultural district decreased, it was held by the Poor Law Board that this was occasioned by some sort of cruelty, and on the right hon. Gentleman's own principle it appeared that the poor had been driven from the Docking Union. The President of the Poor Law Board in bringing in this Bill made great capital of a Report by a medical man, Dr. Hunter. He had grounded on it that part of his case which referred to overcrowding in agricultural parishes. Very few Members had seen that Report, which had not been delivered to the House. Dr. Hunter had been sent all over the country, a careful examination was made in every county, and in many parishes, and a Report was made as to the number of cottages, what they were built of, and other details. But according to that Report there was next to no hardship on the score of overcrowding in the parishes he visited—in only one of these, Netherly, the seat of a late Baronet long a Member of that House, were persons described as being huddled together seven or eight in a house. Finding little in the parishes he visited out of which to make a case, Dr. Hunter appears to have examined the census, and extracted the names of 821 parishes in which houses had decreased, while the inhabitants had increased between 1851 and 1861. Not a word was said by Dr. Hunter of their being agricultural or close parishes. In fact, it turned out that a great many of them were town parishes, yet the president of the Poor Law Board, in bringing in the Bill, had most unfairly called them agricultural parishes. Dr. Hunter gave the statement without mentioning the name of a single parish out of the 821, the names of which he had had great difficulty in extracting from the right hon. Gentleman at the head of the Poor Law Board. But, for the sake of argument, supposing the Report to be true, it was clear on the face of it that no overcrowding existed in those 821 parishes. The Report showed that the average number of persons to a house in those parishes in 1851 was 4·41, while in 1861 it was 4·87. But the average number of persons per house in England and Wales was in 1851 5·469, and in 1861 5.366. So that the chief thing this list of 821 parishes shows is, that in 1851 they had in them a large surplus of houses over population; and in 1861, although the ratio of surplus had been to some extent diminished, in some parishes by a decrease of houses, and in others by an increase of people, yet even then, as compared with the whole of England and Wales, these 821 parishes were still much overhoused as regarded their existing population.

Since the commencement of the New Poor Law there had been a most extraordinary shifting of the population of England. It arose from two causes — the refusal of out-door relief to able-bodied persons, and cheap railway transport. This had been the case, more or less, in almost every part of the country, and particularly in the West of England. But it ought to be observed that all this had arisen since, and was referable to, the operation of the New Poor Law, and was not the result of the old parochial system. When he (Mr. Knight) named such places as Devizes, Trowbridge, Great Bradford, Westbury, Warminster, Heytesbury, Amesbury, Salisbury, Cricklade, Corsham, Chippenham, Calne, Beaminster, Bridport, Whitchurch, Shaftesbury, Sturminster, Shepton Mallet, Wiveliscombe, Milverton, Nailsea, Yatton, Ilminster, Chard, Crewkerne, South Petherton, Ilchester, Castle Cary, Wincauton, Glastonbury, Anbridge, Cheddar, Tiverton, Bath, Bathford, Ashburton, Dartmouth, Totnes, Axminster, Honiton, Topsham, Chudleigh, Okehampton, and Crediton, as among the many towns in the West of England in which houses, or population, or both, had decreased between the Census of 1841 and that of 1851, he (Mr. Knight) could not allow that a corresponding decrease in any small agricultural parishes in the district could fairly be attributed to any other cause than a general resettling of the population under a new order of things, occasioned in great part by the action of the prohibitory order of the New Poor Law. It would be monstrous to assert that the diminution in houses or people in the towns he had named had been caused by a conspiracy on the part of the landlords to ease the poor rates, and that argument was equally false when applied to small parishes affected in like manner.

The right hon. Gentleman, in introducing the Bill, had named the several Committees which had applied themselves to the subject of areas of rating. All the arguments brought forward in favour of an extension of the area of rating had turned on two points — first, the great injustice of inequality of rating; and, secondly, the close parish system—a term invented since the New Poor Law. But the injustice of inequality was not done away with by this Bill; because, whether it was a parish or a union that paid 6*d*., while another parish or union paid 5*s*., the great injustice of inequality remained the same. For his own part, when complaint was made of the inequality of rating, he confessed he did not see, when a property was purchased or inherited, why the purchaser or descendant should take what he had not purchased, or his predecessor did not possess before him.

He (Mr. Knight) should next consider the close parish case, which was a new term invented since the New Poor Law by the Poor Law officials. He (Mr. Knight) had gone most carefully into the matter, and would show the House that no evidence was before the country of the existence of a system of demolishing cottages in small parishes for the sake of diminishing the poor rates. Nothing could be so easy for the Poor Law Board as to name the parishes in which this had taken place, if it really had done so; but in all the parishes they had so named at different times the contrary was proved, as the census showed that in almost every instance cottages had increased in the parishes accused of having destroyed them. He (Mr. Knight) would examine *seriatim* the various attempts of the Poor Law Board to impress this House and the country with the idea that such a system existed.

The first attempt was made before Mr. Charles Buller's Committee in 1847. Many Poor Law officials came forward to detail the horrors of the system, but as they did not give the names of the parishes they afforded no clue by which their assertions could be verified. Mr. Hall, one of the Poor Law Inspectors, took a different course. He said he did not believe that cottages had been pulled down, and produced in support of his opinion the following facts:—Mr. Hall's district comprised 44 unions, 24 of which contained no close parish. In the other 20 unions, 76 close parishes existed. Between 1831 and 1841, houses in these 76 close parishes had increased 11 per cent, population had increased 9 per cent. In only 6 parishes out of the 76 had houses decreased. Mr. Hall gave the names of each parish and the figures for the census. This was the only real evidence given on the close parish case before the Committee of 1847. All the rest was mere outcry. Neither Mr. Charles Buller nor the Committee were satisfied. They passed a resolution for union rating, but determined it should not be reported to the House. After the sitting of that Committee, Mr. Buller sent eight Poor Law Inspectors into the country to see whether the close parish system existed or not They were sent into 14 different counties, and the result was printed. He (Mr. Knight) had spent several months in working out the results, which he had placed before the House in a private pamphlet in 1854. The extracts from the census therein contained showing the number of houses and persons in the parishes selected by the Commissioners as close parishes, showed that houses had largely increased in most of them. As a consequence Mr. Baines, in bringing forward his Motion for union rating, gave up the close parish case, and the charge of pulling down cottages. The number of close parishes reported on was 247, and the increase of the houses in those parishes was 44 per cent. The increase of the population in the same period was very much less. The most curious thing in this inquiry was, that the amount of real property rated to the property tax between 1815 and 1843, in the parishes which were said to have been injured by having population driven into them by the close parishes, had increased immensely, while in the close parishes it had increased very little indeed. In 40 open parishes the increase had been 56 per cent, while in the corresponding close parishes the increase had been only 5 per cent, and throughout in similar proportion. The cause for this was obvious, for, assuming the old division of agricultural produce to be correct, and that one-third went to the labourers, that proportion must have been spent by them in those open parishes in which they lived. The theory put forward on the management of property was, that one-third of the gross produce of a farm went to the rent, one-third to labour, and one-third to the farmer. Now, if there could be imagined a district of 30,000 acres, in which the cottages were pulled down, and the labourers driven into an adjoining parish, one-third of the whole produce of the district must be spent in that parish; and it would become thriving at the expense of the other parishes. There was no instance of a town which complained of the poor being driven in on them that was not benefited. For instance, the town of Spalding complained that it was injured by being made the place of residence of the labouring population of a large neighbouring extra-parochial district called Deeping Fen; but, on inquiry, it was found that more than £10,000 a year was carried in to Spalding by people who earned their wages in Deeping Fen. Within a short period the valuation of that town had trebled, and it was quite clear that the increase was in no small degree owing to the £10,000 which had been so brought into Spalding from Deeping Fen for a great many years.

The close parish case appeared to be dead as regarded the charge of pulling down cottages, and remained so for some years. It was, however, resuscitated in 1860 by the right hon. Gentleman (Mr. Villiers), on his becoming Chairman of the Irremovable Poor Committee. He (Mr. Villiers) brought forward witnesses who re-asserted the old cry of pulling down houses, &c. The Committee, however, refused to listen to such statements unless the names of the parishes were given, and evidence of the number of houses in each of such parishes, at every census since 1801, was afterwards given before the Committee. Five close parishes were spoken of near Lowth; but it appeared that in 1801 the number of houses in them was 82; in 1841, 151; and in 1851, 171; one was mentioned near Wakefield, in which the houses at those periods were 10, 9, and 9; two near Royston, in which the houses were 18, 44, and 64; four near Lincoln, in which the houses were 109, 173, and 206; one near Sunderland, in which the houses were 55, 78, and 86; five near Leeds, in which the houses were 523, 899, and 1,018; five near Birkenhead, in which the houses were 82, 94, and 100; five near Chesterfield, in which the houses were 653, 867, and 1,086; in only two out of the whole of the close parishes brought forward before this Committee had houses decreased. The increase of houses in those parishes from 1801 to 1841 was 51 per cent; and from 1841 to 1851 22 per cent. No failure could have been more calamitous than that of the right hon. Gentleman (Mr. C. P. Villiers') witnesses in their attempt to show to the Irremovable Committee the existence of close parishes in which houses had been destroyed. He (Mr. Knight) maintained that the charge of pulling down houses in close parishes had been disproved in every case, and the right hon. Gentleman had no right to bring the charge forward again without fresh proofs, of which, however, it appeared he had none to give. The whole charge appeared to be a false and an invented one. There was one more Committee of which Mr. Villiers had spoken — namely, his own Committee, which reported in 1864, having taken evidence for three years, but they took no evidence on the subject of the extension of the area of rating throughout the country. The Chairman, in his draft Report, referred to it as a subject out of their sphere, as not having been specifically referred to them ; yet, at the last moment, he (Mr. Villiers) placed three new Members on the Committee, who were known to be much in favour of union rating, but who had taken no part whatever in the proceedings of the Committee. One of these new Members proposed a clause in favour of union rating, and carried it without its having reference to any part of the evidence taken by the Committee, or to its former proceedings.

The right hon. Gentleman opposite (Mr. C. P. Villiers), in his opening speech, had attributed to the parochial system a great many abuses which did not belong to it. No doubt it would be in the recollection of many hon. Members that the chief evils sought to be remedied by the Act of 1834 were not occasioned by the parochial system. In 1794, there was great distress for food, and the country was in great danger ; alterations were made in the Poor Law, with the unanimous consent of Parliament. It was then that much that was complained of in 1834 arose. What was granted to the poor as a favour in 1794, was revoked by Parliament in 1834. But the parochial system had gone on for 200 years without any of the grievances which were attributed to it in 1834. As they were now talking about having another Committee, he thought it was but right that the House should know that all attempts which had been made to prove the close parish system of pulling down houses had been perfectly futile. It was clear that two-thirds of the ratepayers of England would be injured by this Bill. I was quite clear that the ratepayers, as a body, would not be benefited by it, and he thought it was equally clear that the Bill would be of no advantage to the poor. The only persons who would benefit by it were the officials of Gwyder House. Those officials had as yet held their position by a precarious tenure. That sister establishment, the Board of Health, which had intended to lord it over the towns in the same way as the Poor Law Board sought to lord it over the parishes, had been swept away, and Gwyder House felt that the question might also come to be asked—What was the use of that establishment? It was not improbable that some future financial reformer would bring before the House the useless expenditure which took place at Gwyder House. It might be easy to prove that thousands of letters were written on such weighty matters as whether or not a pauper boy was to have a pair of new breeches. But that was not sufficient to justify its continued existence. There was little or nothing for that large and expensive establishment to do. The officials knew that as long as the parochial areas and parochial officers existed there would be no difficulty in returning to a cheaper and less centralized system of poor relief. And if, instead of millions of surplus some future year should show a deficit, the Poor Law Board might be thought a proper item to be struck out of the Estimates ; but if they could succeed in smashing up the parishes, they thought that they would be sure of their salaries for the space of their natural lives. This, then, was the real cause of all the false statements that had been made about close parishes and pulling down cottages, and this was the foundation of the present Bill.

Sir RAINALD KNIGHTLEY said, that as the House had refused to hear the last speaker, he now begged to move the adjournment of the debate.

Mr. RICHARD LONG seconded the Motion for the adjournment, seeing that the debate had now (half-past eleven) been continued for nearly seven hours.

Motion made, and Question proposed "That the Debate be now adjourned.—(*Sir Rainald Knightley.*)

Mr. C. P. VILLIERS thought it a rather strong measure for the hon. Baronet to come there at a late hour—for he had not seen him in the House before—and at once propose the adjournment of the debate. They had been busily discussing that matter, and although more had been said upon it than some perhaps might have wished to hear, still they had been patiently listening. It was said that some speeches were made to waste time, yet he was unwilling to believe it; but if an hon. Baronet came in about eleven to move the adjournment of the debate, it looked as if some such intention really existed. He hoped the Motion for the adjournment would be withdrawn. ["No, no!"]

Mr. HENLEY said, that like the right hon. Gentleman (Mr. Villiers) he had been present during the whole of the debate, and he must say it was impossible for anybody to attempt to speak in the state in which the House had been without any endeavour that he had seen on the part of the Government to keep order. If the hon. Baronet had not risen to move the adjournment he would have moved it himself. He wanted to speak on the question, and the course which the debate had taken made it the more necessary that somebody should speak, because a great deal of fresh matter had been introduced. But it required a hardy man to attempt to speak when it was perfectly certain that not one word would be heard. The only way in which a minority could protect themselves when the majority did not exert themselves to preserve decent order, was by moving the adjournment. Considering how thin the House had been, hardly a man, he believed, could recollect such a scene as they had had for the last half hour.

Sir GEORGE GREY was sure the House would listen willingly to the right hon. Member for Oxfordshire.

Sir WILLIAM MILES said, that when the hon. Member for Worcestershire (Mr. Knight) addressed the House he naturally was compelled to go into details at considerable length—["Order, order!"]—and he was met by the greatest interruption he ever recollected being offered in that House between the hours of eleven and twelve. His speech was, consequently, considerably shortened. As the House had thereby been entirely prevented from giving its attention to what an old official had to say upon the subject, he thought the hon. Baronet was right in moving the adjournment of the debate.

Question, "That the Debate be now adjourned," put.

The House *divided*:—Ayes 80; Noes 174: Majority 94.

Mr. C. P. Villiers

Question again proposed, "That the words proposed to be left out stand part of the Question."

Mr. LYGON said, although he had not been present during the whole of the debate, he had been in the House a sufficient time to appreciate the injustice that had been done to the arguments of his hon. Colleague. He had also been able to appreciate the strong exertions which the right hon. Gentleman in the Chair had made to preserve the impartiality of debate. He therefore moved the adjournment of the House.

Mr. FERRAND seconded the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Lygon.*)

Sir GEORGE GREY: I do not exactly understand the purport of the observations of the hon. Member who has just sat down, but I must say that I observed that Gentlemen on the other side of the House have shown considerable impatience during the course of the debate as well as those on this side. ["No, no!" "Hear, hear!"]

Lord JOHN MANNERS said, the interruptions which had taken place had been of a most unseemly character. ["Oh, oh!"] He begged leave to differ entirely from the right hon. Gentleman, as the unseemly interruptions appeared to him to come exclusively from the Government Benches. ["Oh, oh!" Hear, hear!"]

Sir RAINALD KNIGHTLEY said, that one of the most disorderly Members in the House was a Member of the Government. ["Hear, hear!" "No, no!" *and cries of* "Name!"] He referred to the noble Lord the Member for the Wick district. ["Hear, hear!"]

Mr. C. P. VILLIERS observed, that if the hon. Member for South Northamptonshire and some few of his Friends chose to persevere in these Motions for adjournment they all knew what was the power of a small majority in such a case. Under these circumstances, he would agree to the adjournment of the debate. [*Cries of* "Go on!"]

Mr. DISRAELI thought it was much to be regretted, and it was also matter of surprise, that on a subject like the one which had been under consideration such a scene should have taken place as had occurred in the House that night; and he must, after the observations of the right hon. Gentleman the leader of the House say, with the greatest respect for him, that if the leader of the House had at an early moment risen to order and appealed to Gentlemen on both sides, and particularly to those on his own, this scene, which was not much to the credit of the House, needed not to have occurred. It was now, of course, quite impossible to proceed with the business, and as the Government were of that opinion also it was unnecessary to prolong the debate; but the House would recollect that if there was a subject which not only demanded, but which would have induced much discussion it was the one which had occupied their attention during that evening; and, on the part of the Members on the Opposition side, he must deny the charge that the attempt to oppose interruption to the debate originated with that side.

Question, "That this House do now adjourn,"—(*Mr. Lygon,*)—put, and *negatived.*

Question again proposed, "That the words proposed to be left out stand part of the Question."

Mr. HENLEY said, that as the Question had now come back to its original position, he would move the adjournment of the debate, which Motion, he believed, the Government were ready to agree to. [*Cries of* "No!" *and* "Go on!"]

Sir GEORGE GREY agreed to the Motion, as he thought it impossible to proceed further with the discussion at present.

Debate *adjourned* till *Monday* next.

WATERWORKS BILL.

Select Committee on Waterworks Bill *nominated*:—Mr. Roebuck, Mr. Scholefield, Mr. Ferrand, Mr. William Edward Forster, Sir John Ogilvy, Sir Edward Grogan, Mr. Caird, Mr. Smollett, Lord Richard Grosvenor, Mr. Hibbert, Mr. Beecroft, Mr. John Tollemache, Mr. Kendall, and Mr. Milner Gibson:—Power to send for persons, papers, and records; Five to be the quorum.

POSTMASTER GENERAL—BILL.

On Motion of Mr. Darby Griffith, Bill to enable the Postmaster General to sit in the House of Commons, *ordered* to be brought in by Mr. Darby Griffith, Mr. Hadfield, and Mr. Barnes.

Bill *presented*, and read 1°. [Bill 144.]

CHURCHES AND CHAPELS EXEMPTION (SCOTLAND) BILL.

On Motion of The Lord Advocate, Bill to provide for the Exemption of Churches and Chapels in Scotland from Poor Rates, *ordered* to be brought in by The Lord Advocate, Mr. Solicitor General for Scotland, and Mr. Adam.

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Friday, May 12, 1865.

MINUTES.]—Public Bills—*Second Reading*—Isle of Man Disafforestation (Compensation)* (91); Metropolitan Houseless Poor (70).

Committee—Marriages (Lambourne) (83) [h.l.]

Report — Marriages (Lambourne) (83) [h.l.]; District Church Tithes* (101) [h.l.]

Third Reading—Record of Title (Ireland)* (97) [h.l.]; Sheep and Cattle* [58]; Union Officers (Ireland) Superannuation* (52), and *passed.*

AGRICULTURAL GANGS.

MOTION FOR ADDRESS.

The Earl of SHAFTESBURY, in moving that an humble Address be *presented* to Her Majesty to request that Her Majesty will be graciously pleased to direct that the Commission appointed in answer to an Address of this House on the 18th February, 1862, to inquire into the employment of Children and young Persons in Trades and Manufactures not already regulated by Law, do include within its Inquiries Children and young Persons employed in some parts of the country under an organized system known as that of Agricultural Gangs, said, that of late there had been constant reference made in newspapers and other publications to the agricultural gangs in different parts of the kingdom. He had not been able to institute himself much personal inquiry into the subject, but he had received information of an important character with reference to these agricultural gangs of children, upon which he could rely, and he should be able to show that it was a subject well worthy of attention. His statement rested mainly on a paper read by the Rev. Thomas Hutton, rector of Stilton, before the Social Science Meeting at York in 1864, a gentleman who had devoted a great deal of time to this matter, he related—and his testimony was confirmed by that of many other persons—that this abominable system had been in operation in Norfolk for upwards of twenty-five years, in relation to gangs of women and children; but what he wished more particularly to call attention to were the gangs of children—some of boys, some of girls, and other mixed gangs of boys and girls of tender ages. They prevailed to a great extent in the Fen district, Lincolnshire, Cambridgeshire, Huntingdonshire, and in parts of Northamptonshire and Norfolk. They were to be found also in other parts of the country, but not so widely. The children were of very tender ages, varying from five years to sixteen years of age, and they were formed into gangs of from ten to sixty, according to circumstances. The children were hired from the parents by a person who was called by the names of "gang-driver" or "undertaker," and the mode of transaction was this—that he contracted with the parents for the services of the children, and then he afterwards let their labour out to the farmers at so much per score, and at other times by the acre. The children were employed in different kinds of farm labour, and they frequently had to walk long distances, and from parish to parish to their day's work. The "driver" or "undertaker" was generally a labouring man, who was not seldom of very dissipated habits, and his conduct towards the children was very severe, his object being to get as much labour as he could out of them. The effect of this system upon children of such tender years was of the most pernicious and demoralizing character. Being away from their natural protectors, and having no power of appeal, and no help against the oppression to which they might be exposed, these children were no better than slaves; in fact, they were slaves to all intents and purposes. They had all the conditions of slavery—with a slave-market and a slave-dealer—the children were sold by the parents to the "undertaker," who took charge of them, and set them to work wherever their services were required without any responsibility attaching to them. The system had a most serious effect, both physically and morally, on these poor children. The same rev. gentleman further stated in a brief description of the gang in a parish where the system had been in operation, though not to its present extent, for twenty years—

> "The population is about 3,000. Here all the farmers encourage the gangs. There are eight gangs at work, containing about forty children each—five of these are mixed gangs of boys and girls; two consist entirely of girls, and one is formed of boys only. During the three winter months, the average attendance at school is 100 boys and eighty girls, but when the gangs are in full work, these numbers are reduced to forty and twenty respectively. The association of the younger children with the hardened, wicked, and corrupted boys and girls of fifteen and sixteen years of age is described as most demoralizing. Their language is awful; vice and immorality in every form are the fruit of the system. These children may be frequently seen on a Saturday night, as late as ten o'clock, going from one beershop to another, in search of their driver, for their week's wages. The educational status of this parish is represented to be 50 per cent lower than that of the manufacturing districts of Lancashire and Yorkshire."

That description exactly agreed with the testimony he had received from all his correspondents in all other parts of the country where the system prevailed. When children of tender years, especially girls, were employed under such a system, and frequently in all weathers, they were exposed to most serious injury to their health; but the moral contamination to which they were exposed was positively frightful. Gangs of one sex, having no proper superintendence over them, were bad; but when the two sexes were combined in the same gang the vice and immorality which resulted were fearful to contemplate. Of course such a life unfits girls for domestic service, or for their future position as wives and mothers. The difficulty of obtaining suitable female domestic servants in those districts amounts to an absolute impossibility. Where the system prevailed many parents had no choice, but must either send their children to the gangs or lose employment for them altogether. This was a state of things utterly inconsistent with the spirit of the age, and entirely at variance with the principles of recent legislation as applied to other branches of industry. He thought, therefore, their Lordships would agree with him that the case called for an inquiry, in order to see whether the facts were as they are represented to be, and whether the evil does not admit of a remedy. Such an inquiry was due to the manufacturers, whose employment of children and young persons the Legislature had subjected to regulation and investigation. They are accused of having been exceedingly sharp in looking after the abuses of factory labour, while they had sheltered those connected with agricultural industry. An opportunity was now presented to them of showing the reverse to be the fact. He, therefore, appealed confidently to their Lordships to accede to a Motion having for its object the extension of the inquiries now being made by the Commission to which he had referred to the employment of children and young persons in agricultural gangs.

Moved, "That an humble Address be presented to Her Majesty to request that Her Majesty will be graciously pleased to direct that the Commission appointed in answer to an Address of this House on the 18th February 1862, to inquire into the Employment of Children and young Persons in trades and Manufactures not already regulated

by Law, do include within its Inquiries Children and young Persons employed in some Parts of the Country under an organized System known as that of Agricultural Gangs."—(*The Earl of Shaftesbury.*)

The Bishop of LINCOLN said, he hoped their Lordships would accede to the noble Earl's Motion. He thanked the noble Earl heartily for bringing it forward. In the South Eastern part of his diocese he had received communications from clergymen which entirely bore out the statements of the noble Earl. He was quite aware that the inquiry was not to embrace female labour in general, but the two were intimately connected. The evils of early field labour haunted the girls who had been subjected to it through life. Females who had been brought up to gang labour were not only unfitted, but they were indisposed for home duties. Once having tasted what were called the sweets of liberty, they preferred field work to indoor domestic labour, and when they went to field labour their infants were "stilled" with laudanum and often, no doubt, unintentionally, poisoned to death. In Lincolnshire, the general death-rate was low, but the rate of infant mortality was high, where the system prevailed. His correspondents had informed him that this gang labour had the most demoralizing and profligate effect on the youth of both sexes, and fostered the most vicious habits amongst them. He hoped the attention which the noble Earl had called to this subject would put a stop to the evil, and if so, his Lordship would add another to the many claims which he had on the gratitude of the country.

Earl GRANVILLE said, that although he knew of circumstances under which the gang system was of advantage to boys, nevertheless, on the whole, he did not think it was a practice to be encouraged. He, therefore, concurred in the propriety of the inquiry suggested by the noble Earl.

Motion *agreed to:* The said Address to be *presented* to Her Majesty by the Lords, with White Staves.

CONFESSION IN THE CHURCH OF ENGLAND.—LAW OF EVIDENCE.

The Marquess of WESTMEATH, who had given notice of his intention to inquire if the public report of the proceedings in the magistrates' court at Trowbridge, as held on Thursday, the 4th of May, were authentic, from which report it would appear that the Rev. A. D. Wagner, described as perpetual curate of St. Paul's, Brighton, was as a witness before that Court when a prisoner was under examination on a charge of murder, and that the said A. D. Wagner declined answering a question pertinent to the case, alleging that what he knew was under the Seal of Confession; and to ask the Lord Chancellor whether such an outrage to the Court, unknown to the laws of England, should have been passed over; and also whether the said A. D. Wagner should not be made amenable for the same, and whether the said magistrates should not have thereupon committed him? The noble Marquess said, that although the facts were well known he thought it right to inquire from the highest legal authority in the realm whether any witness, clergyman or other, was justified in refusing to answer a legal question judicially put to him on the ground that he had received his information in confession? At the present moment the public mind was occupied with this matter, and, having been acting as a magistrate for more than half a century, he confessed that it appeared to him incomprehensible that the Rev. Mr. Wagner should have been allowed to decline answering the question put to him by a legally constituted Board of Magistrates. In the observations he had to make he would be cautious not to raise any question involving the unfortuate position of the young woman who was now so much the object of public solicitude. The matter was important enough in itself. He would anticipate the answer that might be given to him by the noble and learned Lord on the Woolsack, so far as his knowledge of the law enabled him, and would say that there was nothing in laws of England in the Canons of the Church which would justify a witness in refusing to answer a legal question. All he knew was, that if in the course of his experience as a magistrate such a case had arisen, he should have known how to deal with it on the spot by committing the witness who obstinately refused to answer. He would now state how the matter arose. It appeared that the Rev. Mr. Wagner was examined at Trowbridge as a witness in the case of Miss Kent, charged on her own confession with murder, and it appeared by the newspapers that the rev. gentleman declared that he would decline to answer any question revealing anything which had passed at the confessional. The Chairman of the Board of Magistrates reminded him that he had sworn before God to speak the truth; upon which the rev. gentleman replied that his duty to God forbade him to divulge anything which had been said in the confessional, and under the seal of confession. Under these circumstances, the refusal of the Rev. Mr. Wagner to answer certain questions suggested an inquiry as to what the law of England was on the subject, and he would quote two cases bearing on the subject. One was the case of a Roman Catholic priest in Scotland who, on refusing to give evidence, was committed for contempt of court. An application was made to the Home Secretary for his release before his term of imprisonment had expired, and Sir George Grey replied by Mr. Waddington, the Under Secretary of State, that if he were to remit the sentence without an admission of error on the part of the Catholic priest, and without an assurance that he would not again adopt in a similar case the same course, he (Sir George Grey) would be giving a sanction to the assumption of a privilege by ministers of every denomination which, he was advised, they could not claim, and which would tend, even in the most serious cases, to defeat the ends of justice. Another case was that of the Rev. John Kelly, a Roman Catholic priest, who at the trial of a prisoner at Durham for robbery in March, 1860, refused to reveal the name of the person who had given him a watch which had been stolen, for the purpose of restoring it to the owner, the reason assigned for his refusal to give evidence being that he had received the information in confession. The Judge, thereupon, committed him. A Question was then asked in the House of Commons by Mr., now Sir George Bowyer, when the late Sir George Lewis, then Secretary of State, said, that no privilege existed in this country with respect to the clergy of any denomination enabling them to decline answering a question on the ground that they would thereby disclose something confided to them in confession; and Sir George Lewis added that, in his opinion, the Judge in this case had acted with perfect legality and had no option but to commit the witness. The law had also been laid down by high legal authorities that confession to a priest, whether a Roman Catholic or Protestant, was not privileged. In an address issued in 1862 by the Rev. J. Going, incumbent to the parishioners and congregation of St. Paul's, Lorrimore Square, Walworth, and signed also by his two curates, Mr. Helder and Mr. Abbot, these gentlemen recommended confession, one of the inducements being that "your clergy are bound by a most solemn oath never to betray your confidence." He should like to know from the highest authority whether such an oath was authorized by the Church of England or allowed by law. In judicial proceedings in England, whether a question was a pertinent one or not, was it possible that a witness could be allowed to turn round and say, "I will not answer it because what I know was disclosed to me under the seal of confession?" Such a reply made one doubt whether one was living in Rome or in England; and he should, therefore, be glad of an answer to the questions he had asked upon this subject.

THE LORD CHANCELLOR: If I understand the notice of the noble Marquess, the first Question he desires me to answer is, whether the newspaper report of the proceedings before the magistrates is correct. That is quite beyond my power to answer, for I have very little time to read the newspapers. With regard to the remaining Questions—for whether they are one or more than one I cannot very well discover—I must congratulate the noble Marquess on the industry and success with which he has accomplished the understanding of the law of England upon this subject; an understanding so complete that it was quite supererogatory to put any question to the Lord Chancellor. The noble Marquess has very correctly stated the law, and with a much greater profusion of authorities than it would have been in the power of the Lord Chancellor to furnish. There can be no doubt that in a suit or criminal proceeding a clergyman of the Church of England is not privileged so as to decline to answer a question which is put to him for the purposes of justice, on the ground that his answer would reveal something that has been made known to him in confession. A witness is compelled to answer every such question, and the law of England does not extend the privilege of refusing to answer to Roman Catholic clergymen who have obtained the information in confession from a person of their own religious persuasion. There can be no doubt, therefore, that Mr. Wagner was under an obligation to answer the question put to him if it had been insisted on. I think it is a matter of regret that the magistrates did not insist upon an answer to the question, because an evil precedent may be set by the refusal to answer in such a case. It is quite clear, however, that in a matter so well settled as this is, the refusal by the witness to answer the question must have been known to be really a refusal on his part to submit himself to the law. Fortunately, the magistrates appear to have had ample material without the information which Mr. Wagner declined to give, and, therefore, I must assume that they acted upon good grounds in not visiting him with the consequences with which he might have been visited. An order seems to have been made for the commitment of the prisoner, and therefore there has been no failure of justice. It is unnecessary, then, to take any notice of what has taken place, because I am confident if it had been necessary for the purposes of justice the magistrates would not have failed to insist that this gentleman should answer the question put to him.

LORD CHELMSFORD: I do not know whether the law on this subject is quite clear to your Lordships. Mr. Wagner had no privilege at all to withhold facts which came under his knowledge in confession; but the question is, what power the magistrates have to deal with witnesses who are before them and who withhold evidence under similar circumstances. Now Mr. Wagner, as I understand, appeared voluntarily with Miss Kent before a magistrate; and it is rather extraordinary that, under these circumstances, Mr. Wagner should have refused to answer the question. But Mr. Wagner having refused to answer a question, it appeared to him (Lord Chelmsford) the magistrates had no power to make him answer it. We may, perhaps, find a reason for this in what is called the Justices' Act, 11 & 12 *Vict.*, where it is provided that if the magistrate has reason to believe that a person will not voluntarily attend before him to give evidence, he may issue a summons, and if the witness still absents himself, a warrant may be issued to compel his attendance. But the words of the Act in the case of a witness refusing to answer are extraordinary. The Act goes on to say that if a witness so summoned or brought before the magistrates upon a warrant refuses to be sworn, or to affirm, or to answer any question that may be put to him, then the magistrate may commit him to prison for seven days, there to remain unless in the meantime he shall proceed to answer the question. But Mr. Wagner voluntarily attended before the magistrates, and so the magistrates had no power to commit him when he refused to answer the question; they had no power to act as I think they ought to have acted supposing Mr. Wagner had come before them on a summons or a warrant.

THE LORD CHANCELLOR: I have been told that in one of the morning papers there is a letter from Mr. Wagner, who, in answer to some complaint of his conduct, is made to say, or says, that he had received a subpœna to appear.

LORD CHELMSFORD: The words of the Act are—

> "If on the appearance of such person so summoned either in obedience to such summons, or on being brought before him by virtue of a warrant, such person shall refuse to be sworn, or having been sworn shall refuse to answer such questions concerning the premisses as shall be then put to him, the justices of the peace may commit him to gaol for any time not exceeding seven days, unless he shall, in the meantime, proceed to answer the question which has been put to him."

So that the Act only applies to cases in which the witness appears on a summons or a warrant. If the fact was as stated by his noble and learned Friend, he regretted that the magistrates did not act upon the law and commit Mr. Wagner.

THE MARQUESS OF WESTMEATH congratulated himself on the fact that the law could no longer be misunderstood. It had been explained very clearly by the highest authority, and he hoped that all those who had been meditating how to trade on the delusions they had been promoting in the country would be disappointed in the result. He would now proceed to ask another question, which was simply this—whether Her Majesty's Government, assuming that they knew, as they ought to have known, what had been lately going on in many parish churches of the metropolis and elsewhere—he could not say surreptitiously, for everything had been done openly; assuming that the audacious attempts which had been lately made by several ministers holding preferments in the Established Church to warp the services of the Church of England to their own Romanizing views were known to the Government, whether they intended to take any steps to prevent the continuation or recurrence of such practices? He should not be justified in bringing the subject under the notice of the House were he not prepared to give some proof of the existence of the practices of which he complained beyond what was derived from the ordinary channels of the newspapers. He would now mention a few instances respecting which there could be no mistake. On Good Friday and Easter Sunday last, there were services and ceremonies in several churches in connection with the Church of England, altogether different from those required by the Book of Common Prayer, and in opposition to the doctrines of the Church. By the 2nd Article in the 36th of the Canons of 1603, which Article every minister of the Church had to subscribe, the minister declared, with reference to the Book of Common Prayer—

> " That he himself will use the form in the said book prescribed, in public prayer, and administration of the sacraments, and none other."

It appeared that that declaration had not been adhered to, and the following was a brief statement of what had occurred in some churches in London and elsewhere. In the church of St. Alban's, Holborn, the sermon on Good Friday was followed by the chanting of the "Reproaches," which "Reproaches" constituted, according to the Roman Missal, a leading portion of "the Mass of the Pre-sanctified," on Good Friday, in the Roman Catholic Church; not one word of which was to be found in the Book of Common Prayer, or authorized by any of the Church's formularies. At two o'clock in the afternoon, after the Litany, a ceremony entitled the "Three Hours' Agony," which lasted three hours and a half, was gone through; the order of the service being the chanting of one of our Lord's words by the choir, a short sermon on that word, then a pause, after which the playing of soft music by the choir, this proceeding being gone through seven times, the bell tolling for each service. At nine o'clock on Easter Saturday evening the choir and clergy entered the church in procession, chanting and carrying banners, one of them being the "Banner of the Resurrection." For these processions and banners there was no authority in the Book of Common Prayer. The words used in the Good Friday ceremony, as taken from the Roman Missal, were, "Behold the Cross on which hung the Salvation of the World," and then the mode of uncovering the cross was prescribed—one arm of the cross being first unveiled, and then another, the choir each time chanting the *Ecce lignum*. Then the cross being laid down before the altar, the priests and choir, two-and-two, went on their knees to kiss the feet of the crucifix. The noble Marquess then read passages from the Roman Missal and a Tractarian Prayer Book, in order to show the similarity of the ceremonies prescribed in both, and then proceeded to say that in St. George's-in-the-East, on Good Friday, the sermon was followed by the "Reproaches" from the "Mass of the Pre-sanctified." Later in the day the service of the "Three Hours' Agony" and "Seven Last Words" wholly unauthorized by the Church of England—was gone through. In Holy Trinity Church, Vauxhall, the evening service on Good Friday commenced with a hymn, and then "Meditations on the Stations of the Cross," an essentially Roman Catholic service, not a word of which was in the Book of Common Prayer. In St. Paul's Church, Walworth, on Good Friday, the "Reproaches" were gone through, the congregation being on their knees. In St. Mary Magdalene's, Munster Square, on Easter Monday, it was stated that a procession entered the church, chanting, in the following order:— Churchwardens with staves, Banner of the Cross, two thurifers in scarlet and lawn cottas, acolyte with navicula (incense boat), banner of the Purification of the Blessed Virgin Mary, choirmen, banner of our Lord, deacon and subdeacon, celebrant, vested in alb and chasuble. Incense was used in the church. In St. Matthias' Church, Stoke Newington, there was a service of six hours' duration, consisting of "Meditations on the Passion," on Good Friday, including the "Reproaches." On Easter Sunday incense was used. Ceremonies and services of a similar kind took place in Christ's Church, Clapham; the Church of St. Mary Magdalene, Paddington; St. Michael's, Brighton; and St. Raphael's, Bedminster, in the diocese of Gloucester and Bristol. In St. Lawrence's Church, Norwich, the sermon was preached from what is called the altar, and the large bell was tolled from nine a.m. till three p.m. On Easter Saturday evening there was a procession with a brass processional cross, incense boat, and thurifers. On Easter Sunday the rector celebrated in cloth of gold vestments, and in an arch of the church a gridiron was suspended, which was said to be the emblem of the patron saint. At St. Barnabas Church, Leeds, the so-called altar was vested in black, and contained a large engraving of the crucifixion. There were fourteen services, one being held every hour. At the church of St. James' the Less, Liverpool, the "Three Hours' Agony service" was gone through on Good Friday. On Easter Saturday there was a procession, headed by a cross-bearer, and incense was used. On Palm Sunday there had been a procession headed by the cross, which was veiled, boys and men carrying palm branches, which were elevated during the reading of the Gospel. At the church of SS. Saviour and Cross, St. George's Mission (St. George's-in-the-East), there was, on Thursday, April 27, a procession with cross and banners, and the hymn *Tantum Ergo* (the Transubstantiation hymn of the Roman Catholic Missal) was sung. He wished to ask Her Majesty's Ministers whether they thought this was a state of things which ought to be allowed to go on in the Kingdom of a Protestant Sovereign? They could not pretend to be ignorant of these abominable proceedings. Considering that they could not be acceptable to the Prelates of the Established Church, he should be glad to know whether Her Majesty's Government were prepared to put a stop to them. He knew what was the power of the Ecclesiastical Courts. They only existed since the reign of Henry VIII. until a better state of things could be devised. As for the power which they had formerly exercised over probate and divorce cases, the Legislature had abolished their jurisdiction. The right rev. Bench knew that if they took proceedings they would be in the position of a person attacked by a nest of hornets, and would be stung to death. He very well knew that from this quarter they would meet with no redress. But the right rev. Prelates ought not to be called upon to put their hands in their pockets to put an end to such proceedings. He thought that Her Majesty's Government, if they were a Government at all, ought either to deny this state of things, or knowing them, devise some remedy to assist the right rev. Bench to redress these evils. He claimed for the Church of England that protection which he was sure that the head of the Church would extend to it. He hoped the noble Earl (Earl Granville) understood his question.

EARL GRANVILLE: I certainly do not quite understand the question of the noble Marquess as it appears upon the Notices, and I should like to know whether the question the noble Marquess wishes me to answer is the question he has put upon the Notices or the question he has just asked. The Government are not prepared to deny the existence of certain innovations in the mode of conducting Divine worship by certain clergymen. The noble Marquess asks whether I am prepared to state that such things ought to be; and next, whether Her Majesty's Government are prepared to take any measures to put an end to such proceedings. Now, I am not in a condition to affirm, and certainly I am not in a condition to deny, the truth of the statements he has made, still less can I say that, in my opinion, these innovations are such as ought to be made. Neither am I prepared to deny the statement that the right rev. Prelates have no remedy except by putting their hands in their pockets. With regard to the question of the noble Marquess as to the intentions of the Government, I have to inform him that no measure on the subject is under the consideration of Her Majesty's Ministers.

THE BISHOP OF LONDON: As the noble Marquess has referred to my diocese, I ought to explain the course which I have thought it right to pursue. I can assure the noble Marquess, both for my right rev. Brethren and myself, that if we were acquainted with any distinct violation of the law we should not be deterred by the consideration of any expense, however ruinous from bringing the offenders to punishment. There is, however, very great difficulty in knowing what exactly the law is, and my rule is not to interfere unless I am sure that I have the law on my side. There is, moreover, considerable doubt in most of these cases as to the facts. The noble Marquess read a document—I do not know on what authority—of a kind which is very often sent to me—either an extract from a newspaper, or a statement sometimes anonymous, and sometimes signed by a feigned name; and although I might be induced in certain cases to make inquiry, yet it would be out of the question to take proceedings on such grounds. The answer I immediately give when I have any means of communication with the complainant is, that I should be glad to know whether the person who sends this information knows the matter to be true of his own knowledge, and, if so, whether he will be ready to come forward and substantiate the facts. There is, I have found, a good deal of zeal in writing anonymous letters, but not so much in coming forward to bring the matter to a test; so that there is first a difficulty in ascertaining the facts, and next in knowing the exact state of the law in these cases. The noble Marquess alluded to three of my churches. He said that in one of them something that he called a Tractarian Prayer Book was used, instead of the Prayer Book of the Church of England. There can be no doubt that any clergyman who might do such a thing would be suspended by the Courts immediately, and I do not think that any expense would be incurred in proceeding against any clergyman who should violate the law, either by using a Tractarian Prayer Book, or any other Prayer Book except that recognized by Act of Parliament. I very much doubt, however, whether such a thing has been done. I remember an instance in which I was told that such a case had occurred; but I found that what really took place was that a certain hymn had been used which was used by the ancient Church, and also, no doubt, by the Church of Rome. We know that great liberty is conceded as to the hymns sung in our churches; but if any well-authenticated case came before me in which another Prayer Book had been used I should immediately put the matter in the hands of my chancellor. It is stated in another document that three clergymen, two of whom are in my diocese, have taken an oath not to reveal what they heard in confession. All I can say is that they have not made such an oath to me, or, I believe, to any bishop who has ordained or instituted them. I will further say that any person whatever who should administer such an oath would be guilty of an offence against the law, and that to administer any oath except by a notary public or under an Act of Parliament is a misdemeanor, and punishable before a magistrate; and whether that oath was taken not to divulge anything heard in confession, or for any similar purpose, would make no difference. With regard to another matter to which the noble Marquess has referred—the service at St. Alban's—I have no means of knowing at this moment whether what occurred has been accurately stated; but I believe there is no impropriety in saying that, in consequence of information given to me lately, I did request the Archdeacon of London to visit that church, and his report is at present in the hands of the chancellor of the diocese. What the result of those inquiries may be I cannot, of course, say; but I am not confident that any distinct violation of the law in its present state will be proved. I trust, however, that what I have stated will be enough to show that, for my own part, and I am sure I may speak for my right rev. Brethren, we are not unaware of the dangers alluded to, and that we shall not be deterred from maintaining the law by any fear of the expense or trouble which this may involve.

THE MARQUESS OF WESTMEATH protested against an interpretation which had been put upon his words. He never said, or intended to convey, that anything in which the right rev. Bench took part must end in a bubble. What he had said, and he repeated it, was that the jurisdiction of the Ecclesiastical Court was such that it would lead to no satisfactory results. He did not suppose that the right rev. Prelates would shrink from any necessary expense or trouble in the performance of their duty; what he meant was that the right rev. Prelates should be relieved by an amendment of the law from such contingencies. With regard to the circumstances which he had put forward, it was true, as the right rev. Prelate stated, that there was always great difficulty in proving anything; but the facts themselves were in the knowledge of the public, and he was quite content to refer the matter to their judgment.

MARRIAGES (LAMBOURNE) BILL.

(No. 83.) COMMITTEE.

House in Committee (according to Order).

THE BISHOP OF OXFORD proposed to insert in the Bill the following clause:—

> " And whereas by Error Banns have been published and Marriages have been solemnized in Churches and Chapels duly consecrated, but in which Churches or Chapels Banns cannot be legally published nor Marriages by Law be solemnized; and it is expedient to remove all Doubt arising from the Circumstances aforesaid touching the Publication of such Banns and the Validity of such Marriages: Be it therefore enacted, That all Banns already published and all Marriages already solemnized in such Churches and Chapels as aforesaid shall not hereafter be questioned on account of the said Banns having been published or the said Marriages solemnized in a Church or Chapel not legally authorized for the Publication of Banns and Solemnization of Marriages, and the Minister or Ministers who solemnized the

same shall not be liable to any Ecclesiastical Censures or to any Proceedings or Penalties by reason thereof, provided he or they be rightly ordained; and the Registers of all Marriages so solemnized as aforesaid, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively: Provided always, that nothing herein contained shall extend or be construed to extend to authorize the Publication of Banns or Solemnization of Marriages in any of such Churches or Chapels hereafter unless they be duly licensed for such Solemnization."

The LORD CHANCELLOR asked the right rev. Prelate having charge of the Bill (the Bishop of Oxford), whether he thought it wise to insist upon the clause extending the retrospective operation of the measure, not merely to particular cases, but generally to all cases of the nature contemplated by the Bill, in which, as originally drawn, this particular clause was not included. Parliament had been careful, whenever it was called on to deal with cases relating to a matter so delicate as the solemnization of matrimony, to require that all the facts should be laid before it, and only to legislate in those particular instances where error or inadvertence was clearly shown. The Bill proceeded upon the general statement that banns had been in error published and marriages solemnized in churches and chapels duly consecrated, but in which banns could not be published nor marriages solemnized by law. Now, who was to decide whether this statement was accurate, or what was meant by the term "error?" There ought to be no vagueness or uncertainty in dealing with such matters as the legality of marriages and the legitimacy of children. The law of marriage was at that moment under the consideration of a Royal Commission, and it was probable that it would result in a general measure, by which the question could be much more satisfactorily dealt with. He feared that the too wide terms of this clause might be attended with mischievous effects, and he therefore suggested that it should be withdrawn.

The Bishop of OXFORD said, he was quite in their Lordships' hands. He had not drawn the clause himself, nor was he wholly responsible for its introduction into the Bill; but he could not acquiesce in the statement that in now proposing it he was for the first time introducing something opposed to the spirit of previous legislation. The exact opposite was the case, because the clause was taken, word for word, from a clause of the 24 *Vict.* c. 16; and therefore so far from desiring to stretch into a general enactment a principle which Parliament had hitherto reserved for exceptional cases, he was merely asking the House to repeat in 1865 words which they had adopted in 1861. To clear himself from the charge of apparent carelessness and boldness in introducing a clause that would form an utterly unheard-of precedent, it would only be necessary that he should read a passage from the letter forwarded to him by the Registrar General in the interval between the first and second reading of this Bill. Mr. Graham said—

> "Will you kindly excuse me in taking the liberty of calling your Lordship's attention to Act 24 *Vict.* c. 16, for the purpose of suggesting for consideration whether in the Marriages (Lambourne) Bill, to be read a second time in the House of Lords on the 9th instant, it would be expedient to introduce a clause similar to the 4th clause in the Act I have above mentioned? Many of the clergy erroneously think that they are empowered to solemnize marriages in newly-consecrated churches, and when they apply to me for register books I invariably ascertain that marriages may legally be celebrated before I furnish them with registers. But it has come to my knowledge that there are instances where, the erroneous impression existing, and the register books of the mother church being used, marriages have been solemnized touching the validity of which doubts may be entertained. If in 1861 it was considered desirable by the Legislature to remove all such doubts as to such marriages up to that date, it appears to me equally unobjectionable that this similar opportunity should now be made use of to render valid all marriages celebrated under similar circumstances up to the present date."

On receiving that letter from the Registrar General he took the liberty of consulting a leading Member of the Government, a noble Earl not at that moment in his place, and from him he understood that a clause giving effect to the views of the Registrar General would have the support of the Government. He repeated that on this matter he was entirely in the hands of the House; but he thought the evil to be cured was more wide-spread than the noble and learned Lord appeared to think. The fact was that clergymen in distant parts of the country did not know, or forgot, that after a church was consecrated it must be licensed by the Bishop for the solemnization of matrimony before that service could be legally performed. To refuse to follow the example set in the Bill of 1861 might be to expose persons who had acted with the best intentions to the terrible disaster of having their marriages questioned hereafter.

LORD CHELMSFORD said, that if the clause were introduced it would be necessary to alter the title of the Bill, which, as it stood, referred only to Lambourne.

THE LORD CHANCELLOR said, he could assure the right rev. Prelate that he by no means desired to obstruct the passing of the Bill; but then, inasmuch, as the whole subject was under consideration, he doubted whether it was expedient to enact a comprehensive clause, such as that under discussion, except as portion of a general measure. Any church or chapel which was consecrated would come within the scope of the clause; but as there were many churches which, although they had been consecrated, were disused, he thought it was undesirable that marriages should be celebrated in such places as proposed. The right rev. Prelate might, no doubt, to a certain extent, have copied the clause from the Act of 1861, but the precedent was not applicable to the present occasion, and the question was whether it would be well to introduce it into the present Bill.

THE BISHOP OF OXFORD said, he did not exactly know what the noble and learned Lord meant to convey by the words "to a certain extent." He could accept no such qualification, because the clause was not in the slightest degree different from the precedent on which it was founded. However, he did not wish to press a clause as to the propriety of passing which there was any doubt.

THE LORD CHANCELLOR said, it was most undesirable that anything personal should be introduced into the discussion. What the Committee really had to consider was whether a clause so wide in its scope should be allowed to form part of the present Bill.

LORD CHELMSFORD agreed with the Lord Chancellor in thinking that it was not desirable that the clause should be introduced in this Bill. At the same time he thought it would be well that the Government should consider whether it ought not to be made part of a general measure, the only hesitation he had was lest innocent parties should suffer in the meanwhile.

EARL GREY thought that as the Registrar General had stated that these irregularities had occurred, it would be hard if the remedy were postponed until the undefined period when a general marriage law should be introduced. On the other hand, perhaps the clause of 1861 went rather further that it should in one direction, and that was in relieving from consequences the clergy who, through their own negligence in not ascertaining the law, had gone into error.

THE EARL OF DERBY must say that he thought that it was objectionable in principle that they should habitually sanction violation of the law by *ex post facto* legislation. The Act of 1861 having passed gave sufficient notice to all parties with regard to the state of the law in reference to these marriages, and if, after that, such marriages took place, he did not think that it was desirable that every four or five years they should repeat the Indemnity passed in 1861. Upon a choice of evils, he thought that the risk would be less in not passing the clause, than in continuing by Act of Parliament indemnities for violations of the law. He thought that the clause should not be pressed.

Amendment *negatived.*

LORD REDESDALE suggested that if the Registrar General was aware that there were other parishes in the same position, he should communicate the fact to those who had charge of the Bill, in order that as the Bill was passing through the Commons the Bill might be made applicable to those places also.

Bill *reported,* without Amendment; and to be read 3ª on *Tuesday* next.

METROPOLITAN HOUSELESS POOR BILL—(No. 70.)—SECOND READING.

EARL DE GREY AND RIPON, in moving the second reading of this Bill, said, its object was to render permanent an Act of a temporary character which was passed last year for the relief of the houseless poor in the metropolis. The Act had been found to work very satisfactorily, and was generally approved by the Boards of Guardians.

Moved, That the Bill be now read 2ª.—(*Earl de Grey and Ripon.*)

THE EARL OF CARNARVON said, he had no objection to the Bill, but wished to have some more detailed information as to the working of the Act which this Bill was to render permanent. He understood it had been successful; but he should be glad to be more fully informed of its general operation.

EARL DE GREY AND RIPON said, he would make a full statement on going into Committee on the Bill.

THE EARL OF **SHAFTESBURY** said, he understood that the Act had worked exceedingly well. He had received a letter from the rector of one of the largest parishes in London, giving a full statement of its operation. A very large number of cases had been relieved under it, and he did not know of one case which was worthy of relief that had not been attended to. It had been a great blessing indeed to the poor of the metropolis.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

House adjourned at a quarter past
Seven o'clock, till Monday next
a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, May 12, 1865.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES.—CLASS I. PUBLIC WORKS AND BUILDINGS.

PUBLIC BILLS—*Ordered*—Dockyard Extensions*; Crown Suits, &c.*

First Reading—Dockyards Extensions* [145]; Crown Suits, &c.* [146].

Second Reading—Dogs Regulation (Ireland)* [127]; Local Government Supplemental (No. 4)* [132]; County of Sussex* [138]; Ecclesiastical Leasing Act (1858) Amendment [140].

Referred to Select Committee—Local Government Supplemental (No. 4)* [132].

Select Committee—On Metropolitan Toll Bridges* [47], Mr. Leader *added;* on Waterworks,* Mr. Dawson Damer *added.*

Committee—Customs and Inland Revenue* [129].

Report—Customs and Inland Revenue* [129].

Considered as amended—Prisons (Scotland) Act Amendment* [91].

INDIA—DELHI PRIZE MONEY.

QUESTION.

COLONEL **DUNNE** said, he would beg to ask the Secretary of State for India, Why the third instalment of the Delhi Prize Money has not been paid according to the recommendation of the Prize Committee, and when it will be paid?

SIR **CHARLES WOOD**, in reply, said, the Commissioners had considered the advisability of making a third distribution, but they found that a number of claims had not yet been preferred, and of course, if they made the third distribution, they would not have had the means of meeting those prior claims. The payment had been suspended only until these outstanding claims had been disposed of.

THE IRISH CHURCH.—QUESTION.

MAJOR **KNOX**: I wish to ask the hon. Member for Swansea, Whether he intends to bring the Question of the Irish Church on again this Session?

MR. **DILLWYN**: It is not in my power to bring it on without the assistance of the Hosue. It stands now as an Order of the Day, but I hope I shall be able to induce the Government to give me a day.

MAJOR **KNOX**: I will now ask the Secretary of State for the Home Department, Whether he intends to give a day for so important a Question?

SIR **GEORGE GREY**: At present all the Government days are fully occupied.

SUPPLY.

Order for Committee read.

Abstract of Grants for Civil Services for 1865-6 [presented 2nd May]; Account of Exchequer Bonds [presented 1st May]; and Accounts of British Museum Expenditure [presented 9th May]; referred to the Committee.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

REMUNERATION OF POSTMASTERS.

RESOLUTION.

MR. **CAVE**, in rising to move a Resolution on the subject of the inadequate remuneration of Postmasters, said, he wished first of all to clear himself from a charge which might be brought against him, and to answer by anticipation an objection which was usually made against Motions of a similar character. The charge was that he was aiming at an increase in the taxation of the country. Of course this was the case indirectly, insomuch as it diminished the surplus revenue of the Post Office, but he submitted that the Post Office was not to be considered a branch of the revenue, but an establishment for giving every convenience to the country within the scope of the Department, provided it could be done without loss. Now, according to the last Report of the Postmaster General, there was a surplus of £10,000 to the credit of the Post Office savings banks account. He had heard it, indeed, doubted whether that was a correct statement of account, and it had been said that the savings banks had worked at a loss. He trusted that this was not the case, and, at any rate, he had a right to assume that the surplus stated was real, and it was out of that surplus that he thought a fair payment should be made to those who worked the system. So much for that objection. The other was that there was never any difficulty in getting the work done on present terms, and that, in fact, there were many applicants for every vacancy. He would not go into the abstract question of the propriety of a Government setting the example of giving inadequate wages, but the real fact was that a great majority of Postmasters gave merely their spare time to the Government. They made their livelihood in other ways. Hon. Members had heard of the individual who advertised for a pensioner as hall-porter, because the wages he gave were insufficient without the pension, and they knew that the slopsellers kept needlewomen's wages at a starving point by introducing the competition of the convents, the inmates of which were supported in other ways. But then, of course, the question arose whether the retail shopkeeper, who had his hands full of other work, was the proper person to work Government savings banks, and, still more, the new system of Government annuities. So that the question was not only the narrow one of increased pay to certain people, but also the more important one whether, under the present rates, the work was properly done. There was scarcely an office under Government which might not be filled at a less charge. People with full confidence in their own powers would, no doubt, accept the office of Chancellor of the Exchequer or Secretary to the Treasury, at one-tenth of the present cost to the country, but the country would scarcely gain by the economy. He thought it necessary to say so much by way of preface, as he quite admitted the inexpediency of such Motions on general grounds, and that almost every branch of public servants would complain of their salary if they thought their complaints would be heard. He had originally intended simply asking a question at the request of a country clergyman; but after placing the notice on the paper he had received so many complaints from all quarters, and his correspondents had stated so many cases of hardship and mischief arising therefrom, that he felt justified in altering the question into the present Motion. He would not detain the House long, but he begged hon. Members, especially those who sat opposite, to remember that he was advocating the cause of a class deprived of the franchise, and therefore, according to their views, entirely unrepresented in the House; who lived, moreover, in such dread of incurring the displeasure of their official superiors that some had written anonymously, and others had expressed the greatest fear of being supposed promoters of his Motion. He objected, as contrary to public policy, to encouraging public servants to make complaints of their superiors. He had, therefore, sought for information chiefly from independent sources, clergymen and others who were interested in the question on public grounds, and though he trusted that his statement might lead to a fairer treatment of an important class of public servants he had also in view the impediments caused and likely to be caused by their discontent to the operation of those useful measures, the Post Office Savings Bank Act, and the Government Annuities Act, which latter was also, as they were informed by a paper laid lately upon the table, to be worked through the Post Office. He might state that he had received information from the counties of Middlesex, Surrey, Kent, Sussex, Devon, Gloucester, Somerset, Lincoln, Salop, Northampton, Herts, and others, but for obvious reasons he should not mention the exact localities. It must be evident to all that within the last three years enormously increased work had been thrown upon the keepers of post offices. According to the Postmaster General's Report for the past year the deposits which had been paid into the various post offices had amounted, with interest, during the interval between September 1, 1861, when the Act first came into operation, to March 31, 1864, to nearly six millions, and the net profits of the Post Office to more than £10,000. Before this time Postmasters were not overpaid, when it was considered how much additional work was entailed upon them by the growth of the system of money orders and the book and pattern post. What, then, was the additional remuneration received for the vastly increased trouble of the savings banks—trouble in no way connected with the business of carrying the correspondence of the country, nor indeed to have been anticipated, for the Postmasters might as reasonably have expected to be turned into Government tailors as Government bankers. There seemed to be certain classes under which postmasters might be ranged in reference to payment. The right hon. Gentleman the Secretary of the Treasury might possibly explain the principle of the classification. He found that the most fortunate received £5 for every 1,000 transactions. That seemed to him a reasonable arrangement, as the trouble of large and small deposits was the same, and he thought it sufficient in amount. Others were paid at the rate of 1*d.* for every deposit, which might possibly be sufficient also, because though some grumbled others seemed satisfied, and one of the recipients expressed his opinion that the Post Office was just though stingy. After these two, however, came three classes which were much more hardly treated. The first received one halfpenny per deposit, and 1*s.* per cent on the amount the first year, but afterwards nothing. The second, certain apparently arbitrarily fixed small sums the first year, since then nothing. The third was most illused of all, for they had never received anything; but they had been led to expect something eventually, and lived in hope. Meantime there were complaints that the bonds had been enlarged, and the percentages on money orders and postage stamps reduced, and there was apprehension expressed that the Postmasters would have to work the Government annuities scheme gratuitously also. He had stated that he had advocated the cause of these officials because they were helpless and incapable of resistance. He had heard, however, that one in London had thrown up his office and published his reasons on a large placard exhibited in a shop window, couched in terms by no means complimentary to the authorities. But a still more important part of the question was its effect upon the public service. He was an advocate of Post Office savings banks and Government annuities, and wished them success; but the course taken in respect of these salaries militated against it. One Postmaster wrote that he should discourage Government annuities because he got well paid by benefit societies; another stated that the old savings bank in the town paid an actuary £100 a year for keeping the office open for an hour or two once a week. A clergyman wrote—

> "I can plainly see the Postmaster discourages the issue of 'books,' and what he does in all probability others do. The trouble is very considerable, and all the same whether 4*d.* or £4; as I was mainly instrumental in getting the savings bank established here, I feel somewhat guilty in having entailed so much upon him with so little return."

He could multiply cases of this kind, but would not weary the House. Early in 1862 the hon. Member for Rochester (Mr. P. W. Martin) asked a question on this subject, and the Secretary of the Treasury replied that there was, doubtless, an increase of trouble, and that the remuneration was under consideration. This was also stated in the Postmaster General's Report, so that the Postmasters had been living in hope, which alone induced them to put up with the present scale of payment. He would not enlarge on the immorality of underpaying those who held offices of trust; because, though there had been defalcations, yet it was infinitely to the credit of the class whose cause he advocated, that of the vast amount of valuable property of every description which passed through their hands so little miscarried. The subject of salaries in every department of the Post Office was a most important one, but he had preferred confining his remarks to one branch, and feeling as he did that no more time should be lost in placing these payments on an adequate, fair, and uniform basis he should conclude with the Motion which stood in his name.

Amendment proposed,

> To leave out from the word "That" to the end of the question, in order to add the words "in the opinion of this House, it is neither just nor expedient that labour and responsibility should be imposed upon public servants, in respect of Post Office Savings Banks, without adequate remuneration,"—(*Mr. Cave,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. AYRTON said, that when the Bill for the establishment of the Post Office savings banks was under discussion he had ventured to suggest to the House that the difficulties of the scheme would commence with its success, and that it would not be so easy to conduct it as some hon. Gentlemen seemed to suppose. It had occurred to him that those who had the conducting of the business of those banks would view matters in pretty much the same light as they were regarded in public offices generally, and think that very little ought to be done and a large salary paid.

He had foreseen that as soon as people began to deposit their money, a large amount of discontent would grow up. The House had now before them the first appearance of the difficulties arising from the attempt to establish a national bank for the savings of the people. No doubt there was a great deal of truth in what the hon. Member had just stated, and that the Postmasters were grievously discontented at having so much additional work and no additional remuneration. It was difficult to persuade people who had been employed to discharge one duty that they ought to perform another, and he believed the Postmasters had not only to do that, but to receive an enormous amount of abuse into the bargain from those who deposited money. It was not an uncommon thing for a Postmaster to find himself assailed by a depositor, who, on examining his book and finding the interest to amount to so much less than he had anticipated, accused the unfortunate Postmaster of fraud and robbery. He thought, however, the House ought to proceed with caution, and be slow to accede to the Motion of the hon. Member for Shoreham (Mr. Cave). They had hardly sufficient experience in the matter to venture on any expression of opinion. He would suggest that before any step so decided was taken it would be necessary to appoint a Committee to inquire into the working of the Act. No doubt the Postmasters had been encouraged to make this application by the Returns which had been laid on the table, and been commented upon in the newspapers. When those Returns appeared the people were congratulated on the success of the Post Office savings banks, for they showed that there was a very considerable balance on the profit side of the account—he believed £21,000. He was afraid, however, that when matters came to be examined a little more closely they would wear a different complexion. The House knew that certain joint-stock banks had showed they were able to pay 10 per cent, and, what was more, had actually paid it; but those establishments failed afterwards, and then it appeared that they had neither capital nor profit. In the accounts of the Post Office savings banks laid on the table of the House, as he understood, no notice was taken of the important fact that a considerable amount of the funds was invested in terminable annuities which had not a great many years to run. Therefore, though the interest paid on those investments was not only enough to pay the current expenses of the banks, but also to leave a profit, it was in reality merely nominal, for it was a part of the capital which was being wasted. He had moved some time ago for a Return of the depreciation in consequence of the lapse of time, and it appeared from the figures which had been laid upon the table that the amount was now £81,000. If, then, they deducted that £21,000 of apparent profit from the loss by depreciation, there was an actual loss up to the present time of £60,000 on the Post Office savings banks, instead of there being a gain of £21,000. This might be remedied at a future time through increase of deposits and other causes; but it showed that the House ought not to encourage any increase of expenditure at present. Should those persons who performed the duties of postmaster be unwilling to conduct the savings banks without additional remuneration, it was evident that Parliament would have to subsidize those banks out of the Consolidated Fund if it meant to carry them on. But it was much better that there should be a thorough inquiry into the whole subject before any decided course was taken. It was scarcely fair to make that inquiry at present, as the Post Office savings banks had not been established a sufficient time for them to get into thorough working order. Probably in a year or two the question would be ripe for discussion, and he hoped the House would then thoroughly sift the matter, and, in case it should turn out that the savings banks could not be carried on without a loss, take into consideration the advisability of entering into some new arrangement with regard to them. In the meantime, however, it would be highly improper to force Government to spend the public money, which, unfortunately, they were always ready enough to do. The House had better perform its proper function of endeavouring to keep down the expenditure, rather than afford the Government any excuse for extravagance.

MR. SCOURFIELD said, he entirely sympathized with the Chancellor of the Exchequer in the embarrassing position in which he was placed by Motions of that description. He had received no communication from any Postmaster on the subject, but the present proposal was so exceptional a one that he felt bound to give it his support. The increase which had of late years taken place in our Post Office system must have imposed a large amount ef additional duty on the Postmasters, and that increase of duty was not, he believed, accompanied by a proportionate augmentation of their salaries. He must remind the House of the multifarious duties performed by the Post Office, and that in order to discharge them properly the Postmasters and Mistresses had to rise by candle light in the morning. When additional duties were imposed upon already hard worked officials it was incumbent upon the Chancellor of the Exchequer to see whether, with a due regard to the public revenue, he could not increase their remuneration. He should be sorry to move for a Return which would undoubtedly be very interesting—namely, a Return of the number of Postmasters and Mistresses who had heen dismissed for dereliction of duty. He was afraid it would show that, owing to the very small emoluments attached to the duties, a very inferior class of persons had obtained the situations. He should add, however, that as far as he could learn the profits of the Post Office Department were not as great as the public general imagined, and many persons were in consequence led to make demands on it which it could not be fairly expected to meet. The gross revenue of the Post Office was £4,100,000, and as, on the other hand, the only expense entered against them in the public accounts was £870,000 for the packet service, many persons imagined that they must have a surplus of over £3,200,000. But that was not the case, and they had many other large charges to defray. In his opinion, it was very desirable that the public should be made acquainted, if it were possible, with the net revenue of the Department. But he repeated that he thought the present proposal a fair one, and he hoped it would meet with the favourable consideration of the Chancellor of the Exchequer.

Mr. PEEL said, it would be establishing a very bad system for our public servants, were we to pay them according to the amount of surplus realized by the office in which they were engaged, instead of according to the value of their services. The proposition of the hon. Member who moved the Resolution seemed reasonable enough—namely, that, if additional duties were thrown upon a class of public servants, they ought to receive additional remuneration. The principle involved in that proposition had, however, always been recognized and adopted by the Post Office. The question of remuneration of Postmasters had received a great deal of attention, and the desire always had been to remunerate them in proportion to the amount of work they performed, while taking care to avoid offering them any inducement to favour any class of depositors in order to improperly increase the amount of deposits and withdrawals. He did not think it would be desirable to pay them in proportion to the amounts deposited with them, because they would in that case have an interest in developing the business of the larger class of depositors as compared with the smaller class; and it should be remembered that it was essentially for the benefit of the humbler portion of the community the system had been established. The Post Office savings bank system was carried on by about 3,000 Postmasters in 800 head offices and 2,200 sub-offices. More than one-half of the business was transacted in the sub-offices, the masters being remunerated according to the amount of the work performed; exactly in the same manner as they were paid for the money-order business, with the single exception that they received £5 in the former, instead of the £4 for every 1,000 transactions which they received in the latter. In other words they received 1*s.* for every ten transactions. The work they had to do as between themselves and the depositors was to receive the money from the depositor and to enter the amount in the depositor's book. As between themselves and the General Post Office in London, they had to forward a memorandum, showing the amount of the deposit and the name and residence of the depositor, the whole of the accounts being kept in the Central Office in London. As the amount of remuneration varied with the quantity of work done of course it was but small at present, but in a few years it would probable equal that which the Postmasters received for the money order business. The total amount of remuneration at present derived on account of the savings bank business between the 2,200 sub-Postmasters was £4,000, as against £22,000 for the money order business. The remaining 800 Postmasters did not receive any special allowance for their labours either in the savings bank or the money order department; and the reason was that their salaries were fixed, and were fixed in proportion to the whole amount of the business it was thought they would have to discharge. The salaries might have been fixed before the additional duties were cast upon these Postmasters, but they were continually undergoing revision. It was open to any Postmaster who thought that he was underpaid to apply for a revision of his salary; that revision, if granted, would have special reference to the increased work which had been cast upon him by the money order and savings bank systems, and his new salary would be fixed with reference to the whole amount of duty which he had to discharge. To show how continually this process of revision had been going on, he had been informed that the salaries of thirty of these 800 Postmasters had been revised since the commencement of the present year. Of course, in revising the salary of a Postmaster, it was necessary to consider whether the duties discharged by him in person had been increased or not. As regarded one-half of these 800 Postmasters, the work of their offices was done by clerks who were paid directly by the Post Office, and of course, if there was additional work to be done, it was provided for by increasing the number of clerks. They were the masters of the more important Post Offices in the country, men enjoying good salaries, and also receiving considerable, in some instances, very large sums indeed, as commission or poundage on the sale of stamps. The only class of Postmasters to whom the proposition of the hon. Gentleman could apply, so far at least as it implied that something had not been done that ought to have been done, were the other 400 masters of the minor head offices, whose salaries were small, and who had to do their work themselves, just as the Postmasters of the sub-offices had, and whose salaries had been fixed originally without reference to the increased duties which had devolved upon them since the establishment of the savings banks. In many of these offices, however, the extra business which had up to the present time fallen upon the Postmasters was very trifling, and all that they could claim would be an addition to their salaries at the rate of £5 for every thousand transactions. The addition which had been made to the salaries which had been revised had been at a higher rate than that. In case of a revision, it was sought to fix the salary with reference to the business which might be expected to fall upon the office within a reasonable time, and consequently the present addition was generally rather larger than was received by those whose extra remuneration was calculated according to the number of transactions. He did not say that the proposition of the hon. Gentleman was other than a reasonable one, but he assured the House that the Post Office were now acting upon it as far as they could.

Sir RICHARD BULKELEY said, he was glad the subject had been brought forward, as it appeared to him the Postmasters in several instances were not sufficiently remunerated. He wished also to call attention to the inconvenience and delay which were often experienced in Post Offices where there was only one clerk to perform all the duties of the office, and expressed a hope that such a state of things would be remedied.

Mr. NEATE said, he wished to ask for an explanation of the remarkable statement which had been made by the hon. Member for the Tower Hamlets that there had been a loss of £60,000 upon the investment of the funds of the Post Office savings banks, which did not appear in the account. If that was the case there must have been gross mismanagement. The Government only paid 2½ per cent, and they were receiving interest at the rate of 3½ per cent. The money might, in his opinion, be so invested as to pay 10 per cent. It might be the theory that whenever work was increased an addition was made to the number of clerks employed; but such had not been the case in the Post Office with which he was best acquainted. He thought that as the Government had made a considerable profit upon the deposits invested in savings banks, they might make a more liberal allowance to the Postmasters who had to conduct the business. He hoped the hon. Member would persevere with his Motion.

The CHANCELLOR of the EXCHEQUER said, that although the hon. Member for Oxford (Mr. Neate) did not exactly make his mouth water, he certainly greatly astonished him when he talked of investing the money deposited in the Post Office savings banks so as to earn 10 per cent. If the hon. Gentleman could realize what he had promised, he believed that he should be quite safe in asking the House to grant him a sum of money in acknowledgment of so great a public service. When these Post Office savings banks were established, the Government certainly held out the hope that they would be self-supporting; and he was bound to say that if the facts were before the House he believed he could show that no such egregious error had been committed as was supposed by the hon. Member for the Tower Hamlets (Mr. Ayrton.) He would not, however, venture to state upon his own responsibility that the House could safely assume the existence of the surplus to which the hon. Gentleman (Mr. Cave) who introduced the Motion had referred. If the process which he had recommended was to go on, some inroad might be made upon that surplus. The fact was, the system was so novel and so complex that it was as yet impossible to ascertain the precise nature of its results. Nor, indeed, ought the existence or non-existence of a surplus to have an appreciable effect upon this discussion; because, in considering how such a surplus should be disposed of, the first question would be whether the Government could not increase the rate of interest to the depositors. He could hardly imagine that there was among the depositors in these banks such discontent as the hon. Member for the Tower Hamlets—who had indulged his old grudge against them by having a kick at them that night—had described. The effect of discontent would, he should imagine, be to diminish the number of depositors; but the fact was, that they were continually and incessantly increasing. He did not suppose that the hon. Gentleman opposite intended to take the opinion of the House upon this abstract proposition, to which, as an abstract proposition, no one could refuse his assent, especially as it had been shown by his right hon. Friend (Mr. Peel) that it was the great desire of the Post Office to act upon the principle which he desired to affirm. No less than 2,200 Postmasters were paid according to the amount of work which they performed; and the cases of those Postmasters who were not so paid, and on whom any additional duties were imposed, were undergoing constant revision. The cases in which extra work might have been imposed upon Postmasters to whom no extra remuneration had been given were those in which they received salaries, and the work was done by clerks paid by the Post Office. The only method in which those cases could be dealt with was by a revision general in principle, and applied to each case in succession. Though he quite concurred in the principle of the Amendment moved by the hon. Member, he believed that even the hon. Member himself would acknowledge that it was not possible to inaugurate any wholesale and sweeping change in the present system.

Amendment, by leave, *withdrawn.*

WESTMINSTER IMPROVEMENT COMMISSION.—RETURNS MOVED FOR.

SIR WILLIAM GALLWEY, in rising to put to the hon. Member for Bath (Mr. Tite) certain Questions of which he had given notice, said, that he felt convinced that notwithstanding what had taken place between the hon. Member and himself some years ago, the hon. Gentleman would give him credit for bringing no Motion forward in a feeling of personal hostility, and for asking no questions which were not dictated by an honest desire to obtain information. He wished to ask the hon. Member, who was Chairman of the Westminster Improvement Commission, for information relative to the intended destruction of a very large number of houses in Westminster exclusively inhabited by the poorer class of the population. A Bill was passed in 1861, which seemed to be a Bill for allowing certain affairs of the association to be wound up, though Clause 29 gave them the power of purchasing in certain cases, to enable them to carry out the instructions of the Act. He could not, however, feel at all satisfied with the progress that the Westminster Improvement Commission had made since the year 1861. The Commissioners had two duties intrusted to them by Act of Parliament. One was to sell the property which was invested in their hands, and the other was to purchase a good deal of property adjacent to their own, the purchase of which would make their own property more valuable and more saleable. As regarded their duty relating to the sale of the property, nothing could, of course, be more easy, because the property was not only very valuable in 1861, but had actually doubled in value since that period, in addition to which there was, he believed, the greatest desire for its possession exhibited on the part of the public. He was afraid, however, that the question of buying property was a more difficult matter, because at that time the Commission did not possess one shilling in the shape of credit or sixpence in ready money. He would ask the hon.

Member whether it was usual for the House of Commons to give to a private company compulsory powers to purchase land and houses for the advantage of property which they previously possessed, and that without being furnished with any estimate, or the company being required to make any deposit. He regretted exceedingly the proposed depopulation which the Commission had thought it necessary to seek powers for in the other House. An hon. Friend of his estimated that the houses to be pulled down and poor people to be ejected by the Commission would be as numerous as in the case of the new Courts of Justice Bill in Carey Street. When he remembered also the furious destruction about to be committed in the same locality by the Metropolitan Railway, it appeared to him almost as if there was a general exodus of the poor of the metropolis, not accompanied—unfortunately—by any promised land for their reception. The Commissioners had, in reality, begun to imitate one of the worst features in the conduct of the old Westminster Commission. They had been making clearances without being sure of the means with which they were to cover these clearances with new buildings. He could not deny that much good had been done, and he hoped that previous to the next Session much more might be effected. He believed, therefore, that the full discussion of the question might be left to those hon. Members who would outlive the ensuing equinoctial gales. He thought that improvements which were public should be carried out by the Metropolitan Board of Works, and that the Improvement Commission, which he feared possessed neither capital nor credit, should not attempt to deal in any way with the streets of the metropolis. He would conclude by moving for a Return of all the expenditure of the Westminster Improvement Commission, including the expenses attending the passing of their Act in 1861.

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "there be laid before this House, Returns relative to the expenditure and working of the Westminster Improvement Commission,"—(*Sir William Gallwey,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir William Gallwey

Mr. TITE said, he begged to thank the hon. Baronet for the courteous tone of his remarks. He had on a previous occasion stated the duties of the Commission of 1861, which came to the rescue of a very large property. The former Commissioners having spent all their money and contracted debts to the extent of £300,000, secured by mortgages, and £700,000 in addition in debentures—were in a position of complete insolvency, and in 1861 an Act was passed appointing a new Commission, consisting of six gentlemen — one being a Member of the old Commission, two representing the bondholders, two others representing the mortgagees, and himself nominated by the Government as Chairman. Although he had been all his life engaged in business he could safely say that a more onerous duty had never been undertaken by him, the affairs being most complicated in their nature. All the moneys received by the Commission were paid into the Court of Chancery for division among the mortgagees. The expenses were extremely moderate, and the allowance to the Commissioners was only £700 a year. They were authorized to borrow £10,000 in order to pay the bills of the lawyers and the surveyors, but they had no intention of embarking upon any speculation. During the last winter, by the co-operation of some corporations interested in property lying near Victoria Street, they were encouraged to carry out an improvement in Orchard Street, and by the co-operation of a large firm—Elliott and Co.—they were enabled to make great improvements at the other end of the street without borrowing or spending a single shilling of public money. Their object was to obtain something for the bondholders, and their solicitor had advised them that it would be necessary to apply to Parliament for additional powers. A benevolent gentleman—Mr. Gibbs—who had spent £40,000 in providing accommodation for the working classes, was willing to assist them in making further improvements. The House must remember that the houses in the neighbourhood were not occupied by working people, but consisted to a large extent of some of the lowest brothels to be found in London. It was desirable to make an improved access from the Park by means of a short street, and toward effecting that object the co-operation of the Metropolitan Board of Works and the parishes might be expected. It was also desirable to open

Stanhope Street, and to improve the entrance to the Horseferry Road, which, though a long and important thoroughfare, ending at present in a very narrow street. For those purposes compulsory powers were necessary. The Commissioners had, therefore, directed their solicitor to prepare a Bill for Parliament, and thus had arisen the extensive scheduling to which the hon. Baronet had referred. Some remarks had been made upon the fact that the Bill was sent to the House of Lords, but that had been done by the Chairman of Committees, and not by the wish of the Commissioners, or from any desire to smuggle it through. An opposition was raised upon Standing Orders by one parish, and the result was that with two small exceptions the powers granted were simply permissive, not compulsory. Terms had since been made with the opposing parish, which was now anxious to restore the Bill to its original shape. Land in the neighbourhood had doubled in value during the last four years, and he believed that if the Commission had power to retain it for seven years longer it would again be doubled in value. They had realized £135,000, which had been paid into the Court of Chancery, and the improvement that had taken place in the property within three years was patent to every one. With respect to the Return asked for, he should not object to it; on the contrary, he should wish every publicity to be given to the proceedings: but as the terms of the Motion were not very definite, he would suggest to the hon. Baronet to withdraw his Motion, and he (Mr. Tite) would arrange with the hon. Baronet to furnish any information that might be desirable.

MR. AUGUSTUS SMITH said, he was glad that full information was to be given, as it appeared that Parliament was about to be called upon to grant further powers to the Commissioners. The Bill introduced by the Commission contemplated the destruction of 500 houses, a larger number than would be removed for the Courts of Justice. He hoped when the Bill came before the House that a clause would be inserted requiring the Commission to provide accommodation for the people whose dwellings they sought power to destroy. He believed that the Metropolitan Railway would also come into the neighbourhood and displace many other residents at the back of the Westminster Palace Hotel. He hoped also that a complete debtor and creditor account of the liabilities of the Commission would be laid before the House before it was asked to give them the fresh powers asked for which would amount to a prolongation of their existence for some twenty years longer. He saw no reason why there should be three or four different bodies in the metropolis for carrying out these metropolitan improvements, and it would be far better that these powers should be transferred to the Metropolitan Board of Works.

MR. JACKSON said, that they were discussing a Bill which was not before the House, and it would be time enough to discuss it when it was before them. They had nothing to do with the improvements made by the Marquess of Westminster or Mr. Gibbs. Speaking from his practical knowledge of the property, he could say that no property had so much improved during the last twenty years as that property had. The working of the Commission had been most beneficial to the property, and he felt bound to say that he thought all those interested in the property were greatly indebted to the hon. Member for Bath (Mr. Tite).

SIR MORTON PETO said, that he also could bear testimony to the change for the better which, owing to the labours of the hon. Member (Mr. Tite), had come over the property during the last four years. There would be plenty of opportunity for discussing the Bill when it came before them.

MR. TAVERNER MILLER said, there were several charities in Westminster which were highly indebted to the Commission, for the lands which they held there, from being waste and profitless, had by the operations of the Commission become saleable to the great advantage of their funds and powers of doing good. In all the transactions which he had had with the Commissioners he had always found them anxious to do what was most for the public good. He was sorry to see an attempt made to get up a prejudice against the Commissioners in reference to this Bill. When it came before the House, it would be found that, so far from pulling down 500 houses, it only took compulsory powers with reference to some twenty or thirty houses. As to the rest permissive powers only were asked for.

MR. KINNAIRD said, the hon. Member for Bath deserved great credit for having extricated the property from such confusion, and he was quite sure his hon. Friend would be the last man to propose to destroy the houses of the working classes without making some provision for them. The lodging-house built by Mr. Gibbs was not a speculation. He went into the venture wholly and solely to benefit the working classes, without caring in the least whether it would repay him. He certainly hoped that it would.

Mr. BROMLEY said, it was a mistake to suppose that these Westminster Improvements had been any benefit to the poorer classes, though they might have benefited another class. He knew of his own personal knowledge that that was not the case. The classes who had been displaced were not the classes which inhabited Mr. Gibbs's lodging-house. They had disappeared altogether. There certainly was no part of London where greater injustice had been done to the working classes by the removal and the destruction of their dwellings.

Amendment, by leave, *withdrawn.*

CIVIL ASSISTANTS ON THE ORDNANCE SURVEY.—OBSERVATIONS.

Mr. DIGBY SEYMOUR said, he rose to call attention to the position of the Civil Assistants on the Ordnance Survey, and to ask the Under Secretary of State for War upon what grounds the principle of classification adopted in the Irish Valuation and other Government Offices is denied to this Department of the Public Service. Seeing the increase that had taken place in the cost of articles of consumption he thought that the Government would, before long, have to take into consideration the remuneration of the civil servants of the State with the view to increase it. But the grievance to which he wished at present to call attention was that the system of classification which existed in the War Office, Admiralty, and in other Departments, and by which promotion was regulated, did not extend to the civil assistants of the Ordnance survey. They complained that they were placed under the control of military officers who had the power of promoting them or not. A private sapper might be placed over several intelligent men in the civil service, and those persons depended upon an increase of pay on the caprice or whim of the military officer placed over them. The best way to get rid of the grievance would be to adopt a regular scale of pay, and to extend to them the benefits of the system which had been applied so satisfactorily to other Departments of the State. An observer, after a service of two years and one month, had 5*s.* 9*d.* a day; another observer had also 5*s.* 9*d.* a day after a service of seventeen years. A surveyor had 4*s.* 3*d.* a day after a service of eight years and nine months; another surveyor had 4*s.* 3*d.* a day after a service of twenty-five years and three months. An examiner of plans had 4*s.* 3*d.* a day after a service of nine years and one month; and another examiner of plans had 4*s.* 6*d.* a day after five months' service. He called attention to the different course adopted in reference to the general valuation service in Ireland, and asked why this intelligent, educated, and well-conducted body of men should be denied the benefits of the system of classification which had been successfully applied to men discharging similar duties at the other side of the Channel.

Mr. Alderman ROSE said, that civil servants were entitled to ask the House to remedy any grievance under which they suffered. No one could doubt that those assistants were an intelligent, educated class of men or that they had been unjustly treated. It was said that they were at liberty to quit the service if not satisfied. Advertisements had been put into the newspapers for men to fill the places of these assistants, but only one applicant would undertake the duties, and he resigned after three months. The survey they made was a credit to the nation; the treatment they received was a reproach to the Government. He had no doubt they would be told that this was a case brought forward in the interests of their constituents; but public servants had a right to come to that House when they had a grievance to complain of, and in this instance there was a substantial grievance. He hoped the Government would agree to this very moderate demand.

Mr. BAILLIE COCHRANE said, he had some knowledge of the question which had been brought forward by the hon. and learned Member for Southampton, and could testify to the good conduct and harsh treatment of the public servants to whom it referred. The superior officer in this Department could promote any one in it and give him a higher salary. Such a power was too great for a superior officer of a department to possess, and the principle was objectionable, especially where no classification existed. In this service there were highly educated gentlemen who had served twenty-one, twenty-two, and some twenty-four years, and who received only 6*s*. 6*d*. a day with 9*d*. increase after ten years' service. Others received only 4*s*. a day, with 1*s*. increase after the same period of service. That was not sufficient remuneration for an arduous service well performed, and the Chancellor of the Exchequer ought to introduce a system of classification so that these gentlemen might be adequately paid.

THE MARQUESS OF HARTINGTON said, there was no analogy whatever between the position of the civil assistants in the Ordnance Survey Office and the clerks in those other public offices to which the hon. and learned Member had referred. He quite admitted that those assistants were very meritorious persons; but many of them were artizans and workmen, and there was no reason why the principle of classification should be extended to them. He had no very accurate knowledge of the duties of the Irish Valuation Office, still he knew enough to show that they were of a very different character from those now under contemplation. In the first place, the Irish Office was not an office superintended by military authority; it was conducted entirely by civil *employés*, and the work devolving upon that Department was the valuation of every occupation and property in Ireland. It was evident, therefore, the duties were of a very responsible character, and that the valuators were more than ordinarily open to the exercise of corrupt influences. On that account it was essential that the *employés* should be persons of the most reliable character. At the same time, he was unable to say what had induced the Government to adopt the system of classification in that Department. Under the present system they were enabled to obtain exactly the amount and description of work they required in the Ordnance Survey Office, and there was no reason why Government should pay a higher rate for the work it required than a private person or a public company found it necessary to pay. If the principle of classification were admitted into that office, not only would they have to pay a larger sum of money for the work performed, but the efficiency of the office would be impaired. Under the present system the survey was conducted mainly by officers of the Engineers, and the sappers working under them, aided by a body of 500 civilian assistants. The most intelligent of those assistants were selected, and, after receiving instruction, they became measurers and surveyors. There were also a number of boys employed at the office at Southampton, many of them sons of persons employed in the office, and in time those boys became tutors, or filled other offices in the Department. The only assistants it was necessary to look for outside the office were the engravers, who were paid the ordinary rate for their work. Was this system of training men for their duties, which had been found to work so admirably, to be changed for one by which men were to obtain appointments through political, personal, and local influences? In that case, instead of having an industrious and able set of men in the office, they would have to deal with persons who would deem themselves secure of their places for life provided they did not entirely neglect their work. Under such circumstances the House could scarcely expect that the efficiency of the Department would be preserved, while the additional cost of the classification system would be, at least £1,500 a year. In addition to this, unless the House was disposed to vote a larger sum for the service than it had, the result would be the postponement for a number of years of the completion of the survey. The civil assistants in their memorial prayed for an increase of salary, on the ground that their present pay was not sufficient to enable them to support the respectability of an office under Government. In his opinion the persons complaining of their inadequate remuneration ought to be paid according to the value of their services, and not according to some imaginary rate to enable them to maintain what they called their respectability.

MR. MOFFATT said, he must express his surprise and regret at the response that had been given by the noble Lord to the appeal which had been so well and so ably put by the hon. and learned Member for Southampton. The noble Lord relied on the same argument that he had used when last called upon to defend this grievance—he declined to concede the benefit of classification upon the allegation that it would prove prejudicial to the public service. He admitted that classification worked admirably for the public service in the Customs, Inland Revenue, Treasury, and other public Departments, but declined extending it to the Ordnance Survey officials, upon the ground of dissimilarity of occupation; but in regard to the officials of the Irish Valuation Survey Office, where the system of classification prevailed, the noble Lord appeared to feel that some explanation was necessary. And what was the explanation? Why, that the duties were essentially different. Upon this he joined issue with the noble Lord, and maintained that the duties were essentially similar. There were the same officers employed—observers, computors, draughtsmen, plotters, tracers, surveyors, spirit levellers, computers of areas, &c.; and the processes and results were essentially similar, the only difference being that the classification, which worked well in Ireland, was denied to England. He would appeal to any Gentleman in the House acquainted with the respective Departments to confirm his statement as to their similarity. He recollected when this subject was last before the House the noble Lord stated that the Ordnance Survey system was perfect, and that so pre-eminently satisfactory was its condition that foreigners visited England to admire and to imitate. A few days after hearing that statement he chanced to see the Return obtained by the hon. Member for Dublin of the pay and the length of service of these valuable and almost inimitable public officers. There, to his surprise, he found that thirty-four surveyors, averaging a service of fifteen years each, were in receipt of a salary equivalent to £60 per annum, and that eighteen spirit levellers and computers of areas averaged about eighteen years' service, and each the munificent remuneration of about £65 per annum —£65 a year for 313 days' labour in the year; no leave for holidays—all close and unintermitting labour. The noble Lord excused this upon the ground that the service could be done, and was done well for the pay. Let the noble Lord extend that principle, if he was satisfied of its soundness, to the War Office — cut down the salaries to the minimum at which the duties could be efficiently performed, and then the present feeling of injustice to a Department would be alleviated, and the public burdens would be materially reduced. But the noble Lord would propose nothing of the kind. The poor might be squeezed, but the influential and wealthy would not be incommoded. The noble Earl at the head of the Department had distinguished himself while in that House by his frank advocacy of the weak when pressed by the strong, and he trusted that in the re-consideration which this question would doubtless receive before Parliament again met some redress of existing grievances would be granted.

THE POOR LAW BOARD AND THE HIGH WYCOMBE UNION.

MOTION FOR PAPERS.

Mr. DISRAELI: Sir, I hope the House will not lend an indifferent ear to the short statement which I have to make to-night, under the impression that the subject is one simply of local interest. I can assure the House it is one of general, and so far as England is concerned one of universal interest, for it concerns every Board of Guardians in the kingdom. The House will agree with me that it is important there should be a clear understanding as to the relative duties of the Central Board and the Boards of Guardians throughout the country; for unless there is that clear understanding there is necessarily a chance of great confusion in the public business, and great neglect occasionally of the public interests. In the case I am about to bring before the House there appears to have been considerable and injurious neglect. I cannot pretend that I have not myself formed an opinion as to what body that neglect is to be attributed; but I will say to those representing the Poor Law Board to-night that, so far as I am concerned, I bring this question before them in a spirit of candour, in order to give them an opportunity of entering into explanations which may remove a strong sense of discontent and indignation now existing in a considerable district; and if the explanation is satisfactory I shall not hesitate to admit that it is so. The Wycombe Union consists of thirty parishes in the southern part of the county of Buckingham, and contains a population exceeding 35,000. The union house, which is a new structure, built within a few years from the design of Mr. Scott, is at Sanderton, and about six or seven miles from this union house, at a place called Bledlow, there is the union school. Within two or three years a person named Harold Stallwood was appointed master, and his wife matron, of the union school at Bledlow. He was apparently a man well qualified for the post, of fair fame, very good talent, and considerable experience in connection with the administration of the Poor Law, because he had been a relieving officer in one of the districts of the county before this appointment. Although there was this distance between the union house (the central point of the union) and the union schools, I am bound to say there has been, as far as I can form an opinion, a satisfactory system of visiting and inspecting the schools. There was a system of periodical and continuous visiting by committees of the Board of Guardians; and also, which is of importance, the schools at Bledlow had been frequently and constantly visited by the Poor Law Commissioner of the district. At Bledlow, besides these union schools, there had been an industrial school, which rendered the frequent attendance of the Commissioner necessary. He was a man by education and position fitted for and active and zealous in the discharge of his duties. I mention this, because, as the House will see, under his inspection, which gave general satisfaction to the community, occurrences happened which were hardly to be expected under a system of efficient inspection; but, at the same time, I am bound to express my opinion that no blame is to be imputed on the score of neglect either to the guardians or to the Poor Law Inspector. We all know that in much higher places than union schools, or institutions of that kind, very often practices come to light highly to be reprobated, but which have continued for a long term of years under critical and conscientious administrations. We know also that crime in authority has great advantages for securing secresy. First of all, a kind of terror is exercised over subordinates, and that, accompanied by ingenuity, will baffle the otherwise disinterested vigilance of those who, under ordinary circumstances, might discover the offence. At the beginning of the year a rumour reached the guardians of the Wycombe Union (who on the whole possess the general confidence of the district), that an act of great barbarity had been practised at the school at Bledlow—that a boy had been punished in a manner which no circumstances could justify. So strong was the feeling of the mother of the boy who was herself an inmate of the union house at Sanderton—she became so alarmed by this rumour—that she absolutely claimed her discharge from the union house, and went to Bledlow to ascertain the truth for herself. She there learned enough to induce her to claim an audience of the chairman and some of the chief guardians; and the result was that a general meeting of the guardians was called at the school at Bledlow. There in the course of forty-eight hours they were all assembled. The question of the punishment of this boy was investigated. The evidence also of several of his companions who had been treated with extraordinary cruelty was taken from their own mouths. It came out in the examination that these severe punishments on the part of the master were rather, it seemed, produced by a desire to establish a system of terror than from any abstract practice of cruelty. It appeared that the boys had heard rumours of indecent conduct of the master with female pauper pupils in the institution, who, of course, were mainly under the direction of the matron. The boys had heard of these things and talked of them among themselves; and the master had recourse to these severe punishments, which were of an outrageous character—threatening even the lives of the boys by holding a knife to their throats and menaces of that kind—evidently for the purpose of by terror suppressing the conversation of the boys, and not from any habitual cruelty on his part. This led to a further examination. It was necessary to examine the girls. That was done on the 13th of February, when a great deal of evidence was taken showing that a system of profligacy of a very heartless and heinous description had been practised for a long time by the master of the school. It is not necessary to go into details because there is no controversy between the Board of Guardians and the Poor Law Board as to the nature and character of this offence of the master. It is agreed that his conduct was most profligate and indefensible. The guardians passed that day in taking evidence. The evidence taken cannot be called *ex-parte*, because Stallwood was present, and he was permitted to make observations if he pleased; but generally speaking he kept a strict silence, and merely denied the whole affair, saying that the boys were telling lies, so that what fell from him threw no light on the subject. The guardians were of opinion, after consultation, that the evidence should be forwarded immediately to the Central Board in London, who should be asked to send down some person to investigate the matter. I am perfectly willing to admit that it would have been better if the Board of Guardians had acted on the moment with more decision; if, for example, they had said, "There is sufficient evidence of indecent assaults to bring this man before the magistrates and have him committed for trial." So far the thing might have been met immediately. But that is not a view of the case which can be urged by the Central Board in London. They never took that view. This, however, must be said for the Board of Guardians. All boards, we know, act with hesitation, and no board is so timid as a Board of Guardians, because, though intrusted with very great administrative duties, their absolute authority is very slight. In this very Board, though their affairs are administered with ability, and although generally they possess the respect of the community, it was not very long ago that a subordinate officer having behaved in an unjustifiable manner (not in a manner so heinous as the present case) was dismissed. In that case these very guardians received a severe reproof from the Central Board, and were told they had no authority to dismiss their subordinate officer. I am not mentioning that as any charge against the Central Board, whose legal authority must be obeyed; but the guardians remembering that, and acting perhaps with rather more hesitancy than they otherwise would, feeling that this affair at Bledlow was of a more extensive and deeper nature than it first appeared, and alarmed to find that all the subordinate officials were under the influence of the man Stallwood, an able man, and were disinclined to give information; feeling that the matter ought to be dealt with authoritatively, and that the evidence which was to be the basis of a criminal indictment should be precise and authentic, and that it would not be satisfactory to have it taken by a mere Board of Guardians, which could not administer an oath or conduct such an investigation with the acuteness and authority that were indispensable—influenced by these considerations, they were extremely anxious, and urged that a person of authority should be sent down from London to conduct the inquiry. They accordingly forwarded that evening, or the following morning, all the evidence which had been given, and earnestly urged the Central Board to take up the matter and institute an investigation. That letter was written on the 14th of February. No answer was ever received to that letter. This case, of course, created considerable excitement in the neighbourhood. Rumours spread, and the want of precise knowledge caused them to be exaggerated. The general effect produced was one of much alarm and disquietude. Guardians belonging to different villages, and frequenting different markets, were anxious to know whether any communication had been received from the Central Board in London in answer to the letter which had been sent up. Days flew over; a week elapsed; and on the 20th, which would be the next meeting of the guardians at Sanderton, they had the mortification of finding that they had no answer. A letter, however, awaited them from the schoolmaster, Stallwood, whose conduct had been so much impugned, and who was placed in so remarkable a position; and this letter was a resignation of his office on the plea of the illness of his wife, and contained a request that the guardians would give him a general certificate of good conduct. Well, the guardians were in a very embarrassing position. A week had elapsed without any answer being received from London, and they felt at last that they must act. They had the man called in and informed him that they could not accept his resignation, but they suspended him from his office. They then wrote up to London within an hour, sent to the Poor Law Board the schoolmaster's letter of resignation, and announced the course they had taken in suspending him from his office. That letter must have been written on the 20th, but no answer was received to the urgent communication from the Board of Guardians on the 14th, or to the letter of the 20th. Besides suspending the schoolmaster from his office, the guardians, as it was necessary to make provision for carrying on the schools, appointed a committee of their body for the purpose. The committee made arrangements to visit Bledlow daily, to report to the union house how affairs were going on, make temporary arrangements for conducting the school, and, of course, report to the Board of Guardians at their next meeting, which would be on the 27th. During this period the guardians received no answer to their letters. But at last the Poor Law Board sent down the Poor Law Inspector of the district, a gentleman of the name of Cane, but he did not apply to the guardians, he did not apply to a portion of them, he did not even go to the usual place where they met—the union house at Sanderton, but he went to Bledlow, and there on his own authority, directed the schoolmaster and his wife, the matron, to send their immediate, written, and unconditional resignation of their offices to him. A meeting of the guardians, whether casually or by arrangement, had taken place to make arrangements for temporarily carrying on the educational establishments—both the industrial school and the union schools. Mr. Cane told them that the affair was finished, that the resignation being complete and unconditional, the places of the schoolmaster and matron were vacant, that the guardians had no further authority over the individuals; and that all that they had to do was to accept the resignations on his advice and responsibility, and to make temporary arrangements. I do not know what were the motives of the Poor Law Inspector, but of course I sincerely give him credit for the best motives. The best motives, however, in point of feeling, may be most erroneous in point of policy. I do not understand that the case of Mr. Cane was an exception to that principle. It was possible Mr. Cane might have thought, "This is a grave scandal; an investigation into these circumstances, as suggested by the guardians of the Wycombe Union, will lead to evidence most offensive to the public taste and to public morality; we shall have details of a very disgusting character; and the best thing, therefore, I can do is to hush it up." He may have been—he probably was—influenced by that feeling. Now, hushing up a private scandal may be an act of wisdom or of charity, and an act of charity is generally an act of wisdom. But when you come to a public scandal, it is a very different thing. Generally it is not wise to hush up a public scandal. It is more than a questionable, nay, it is a foolish act, because in the nature of things, enough always is known in a public scandal to attract great public attention, and unless matters are investigated they assume, in the imagination of the public, larger and more horrid features than they really possess. Nothing can be more inconvenient, nothing more distressing in any society, especially in society of the innocent character which generally pervades a quiet rural district, than an investigation into such charges as I have intimated, charges of gross immorality to be spread about in every village in the union. But, in order to avoid such consequences and such inconvenience, and, in a certain sense, the injuries of such a course, would you lay it down as a principle that a criminal is to be left with impunity because the proof of his crime may produce indelicate and distressing details in the society which he has outraged? It seems to me quite impossible to sustain such a position. Then where are you to stop? where draw the line? When the investigation involves details that are *contra bonos mores* are you to say that these crimes, the most offensive to society, shall be treated with impunity? If Mr. Cane was influenced by a wish to hush up the matter, though I give him credit for amiability of feeling, I I do not think it is a course which ought to be approved of by the superiors of the Department, or by the authority of this House. It may be said that these peculiar cases, though capable of moral proof, are not always capable of that legal proof which is necessary to obtain a conviction. For instance, there can be no doubt in the present case that this schoolmaster had treated many of the boys with barbarity, and inflicted on them punishment which no circumstances could justify. But then an ingenious advocate in a court might appeal to a jury and dilate on the wholesome severity which is the privilege of a pedagogue, and he might so confound the witnesses and so mystify facts as to obtain the verdict of the jury in fafavour of his cilent on that point. Then, again, in the more heinous part of the case, it might be shown where you depend on evidence, and that evidence given by young people, and uneducated people, and people unused to all the pomp and circumstance of public courts, that if there was not consent there was no resistance, and that no resistance involved consent, and though it might appear a very bad case it would be very doubtful whether it could be proved to the satisfaction of a jury; and on that ground Mr. Cane might have considered it best to have nothing to do with criminal justice, but to take the course he did. But then, how does the Central Board—for I do not wish to fix personal responsibility on Mr. Cane—justify their conduct in acting contrary to the wishes of the Board of Guardians by recommending the resignation of the schoolmaster and his wife? I must call attention to the peculiar consequences of the resignation of office under these circumstances. By the Poor Law the power of the Board of Guardians is so limited that they have not even the power of dismissing their subordinate officers. The Board of Guardians could not dismiss a schoolmaster. The House must also remember this, that there is a provision in the Poor Law Act to the effect that any person once in the employ of the Poor Law Board, and who has been dismissed, should never, under any circumstances, be employed by the Poor Law authorities again. The Board of Guardians were most anxious that the resignation of this man should not be accepted, because the moment he resigned his office there was not the slightest reason whatever that he should not be a candidate for office in another union, as soon as the circumstances that had happened had been forgotten, or in a place where they were not known. The central authority, by not only recommending, but by sanctioning and proposing the resignation of this person, absolutely screened him from the only penalties he would incur if he were not prosecuted for his heinous conduct, and sent him forth to the world without the slightest stain on his character. The Board met for the third time on the 27th February, with two important duties to discharge. In the interval a new charge had been made against the schoolmaster. A young woman, Ann Allen, who was about to leave the union house at Sanderton, when making her farewell visit to the master and matron communicated to them that she was in the family way, and that the father of her impending child was the schoolmaster—that she had been a pauper pupil some years of her life in that school; that he had seduced her there; that he had retained his connection with her, and that she had often visited him at the school. This was a case aggravating the offence of the man. The evidence was taken down, and it was determined to send it to the Central Board, from whom the guardians had not yet received a single letter. They had then to receive a report from their committee, and that committee informed the Board that the master and matron had resigned; that their resignation had been accepted by the central authority, that their places were vacant, and that they were no longer under the authority of the Board of Guardians. The Board of Guardians refused to confirm the report of the committee, who had no right whatever to accept any resignation, and they addressed to the Central Board a statement of the case of Ann Allen, accompanied by a remonstrance, pointing out the effect of the acceptance of the schoolmaster's resignation, and an earnest appeal for an answer to their various letters, and some instructions as to the course which they were to pursue in this difficult business. At last they received an answer dated "Poor Law Board, Whitehall, March 4"—

"I am directed by the Poor Law Board to acknowledge the receipt of your letter of the 27th ult., forwarding a copy of a resolution passed by the guardians of the Wycombe Union, at a meeting held on that day in reference to the resignation of Mr. and Mrs. Stallwood, the master and matron of the school, together with a copy of the evidence taken by the guardians in reference to his conduct towards Ann Allen, formerly an inmate of the school. The Board have also received your previous letters of the 14th and 20th."

This was how the business of the Board was transacted—

"In reference to the charges against Mr. Stallwood, I am directed to state that the Board have received a report from the Inspector, Mr. Cane, from which it appears that the master resigned his office unconditionally, and that Mrs. Stallwood resigned at the same time. Under these circumstances the Board direct me to point out that the acceptance of Mr. Stallwood's resignation by the guardians is not necessary to give effect to that resignation and as Mr. Stallwood is no longer responsible as an officer either to the guardians or this board, and that the Board can take no steps with regard to his alleged misconduct."

What other interpretation could a body of well-meaning, honest men, used to the duties of their rural office, give to this letter, but that after all that had occurred they were now apprised by the central authority that there were no means whatever of obtaining redress for the great injuries which the society to which they belonged had sustained from this individual. I need hardly call upon the House to frame in their minds some opinion as to what must be the effect in a large rural district, containing upwards of 35,000 inhabitants, among every portion of which this story, in the course of a month, must circulate. The House can easily conceive what effect would be produced in such a society as I have described, by whom this affair had been discussed at fairs, markets, and all other public resorts. The feeling was naturally one of great indignation; they felt that they had no redress for the outrages they had suffered. I do not believe that so much feeling had for a considerable period been excited in that part of the world. Any one would have supposed that the business had terminated with the letter from which I have just read an extract; but the matter was mentioned in this House, and the Board of Guardians expressed by resolution their dissatisfaction with the communication which they had received from the central authorities, stating that they looked upon it as "altogether unsatisfactory," and informing the Poor Law Board that they should consult their representatives and take their advice as to the course they ought to pursue. And, certainly, I do not see why men should have Members of Parliament, or why we were elected to represent the interests and feelings of the community, if such things as this can take place with impunity, and not be mentioned in this House. Rather more than a week after the date of the letter to which I have already referred, the guardians received another communication from the Poor Law Board. It was addressed to the clerk of the guardians, and was dated October, but there could be no doubt that that was a mistake for March 15. It was written, by the way, as if there had never been any communication between them on the subject. Referring to the misconduct of the late master, it called the attention of the guardians to the 93rd section of the 4 & 5 *Will.* IV. c. 76, which provided that if any master or any other workhouse official should in any way abuse or ill-treat or be guilty of any other misbehaviour, or otherwise misconduct himself towards or with respect to any poor person in such workhouse, he might be brought before a magistrate, and if the offence was proved might be fined £20. Then, attention was called to an Act of the Queen, 7 & 8 *Vict.* c. 101, s. 59, which provided that it should be lawful for the Board of Guardians to pay out of the funds in their hands for the apprehension and prosecution of any officer charged with the maltreatment or abuse of any poor person. And the guardians were told that it was for them to decide whether they could produce sufficient evidence to secure a conviction, and that if they found it necessary they might offer a reward for the apprehension of the accused. The letter was signed "R. B. Cane, Poor Law Inspector." Those are the facts of the case; and the general feeling which they have produced is such as I have described; but the House will not be surprised to hear that a portion of the general discontent and indignation has naturally, though undeservedly, been visited upon the guardians of Wycombe Union — a fact which has made them still more anxious that the matter should be brought before this House. What they complain of is, first of all, that their letters of the 14th and 21st of February, when they first sent up the evidence, were never noticed at all; secondly, they complain that the Poor Law Inspector, without conferring with the clerk or any of the guardians, went down to the school and forced the resignation —no not "forced," for the man, I dare say, was happy enough to give it—occasioned the resignation of Stallwood and his wife. Thirdly, that they informed the guardians in the letter of the 4th of March that no proceedings could be taken in the matter, and then by the letter of the 15th informed them that they might prosecute, and, if necessary, offer a reward for his apprehension, which certainly was very necessary, because the House will be prepared to hear that long ago Stallwood had absconded. He had watched the course of events no doubt with great interest, and for a long time thought he should be able to baffle both guardians and Commissioners. But after the case of Ann Allen came out he thought that, on the whole, it would be the wisest thing to abscond. If no further proceedings are taken he may some years hence, when the evidence is almost forgotten and the witnesses scattered, return to the neighbourhood without a stain on his character. He could say that, when a public officer, he had tendered his resignation to the authorities, who courteously accepted it; and he might become again a relieving officer or perhaps a schoolmaster. Fourthly, they complain of the conduct of the Poor Law Board, because through their mysterious silence and neglect in not giving them the slightest information or advice till a month had elapsed, and the chief offender had disappeared, the Board of Guardians has itself been accused, certainly undeservedly, of neglecting the interests of the pauper children. This is the case which from a sense of duty I have brought before the House. I shall listen with interest to any explanation given by the right hon. Gentleman, for it does appear to me to be a case which requires ample explanation at the least from Her Majesty's Government, and I shall be glad if my conclusions should prove to be unfounded. I have omitted to mention that on the 27th, when the Board of Guardians sent up the statement of Ann Allen, and protested against the conduct of the Poor Law Inspector in arranging the resignation of the schoolmaster, they also sent a letter, which was addressed to them by a pauper then in the house, and which shows how keen was the feeling among the humbler classes on the subject. This letter, written after consultation with the other paupers, the writer being the best penman among them, was as follows:—

> "Gentlemen of this country; we poor paupers ask for justice on the part of our poor children. We should like to know why the master's conduct is not exposed to all the world. If we were to put a rope around a child's neck, or draw a knife across its throat, or if our little females were treated in an indecent manner—if we were to do acts of such brutality, we should be tried and punished. Is there the same law in this land for one as for another? Why are our feelings to be outraged? We appeal for justice. Your humble servant, William Hoare, a pauper in the house."

The wording may excite a smile, but that letter shows what is the feeling of the paupers themselves, and that feeling is shared also by the poorer inhabitants. I do not wish to bring before the House details which would be inconvenient and are not requisite, and I, therefore, only move for a copy of the letter of the Poor Law Board, signed by H. Fleming, Secretary, dated March 4, 1865.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, a Copy of a Letter from the Poor Law Board, dated the 4th day of March 1865, and signed by Henry Fleming, secretary, relative to the Wycombe Union,"—(*Mr. Disraeli,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. C. P. VILLIERS said, he had nothing to complain of in the right hon. Gentleman's manner of bringing forward this case. He had done so with his usual clearness and courtesy, and if there had been any inaccuracies in his statement either of the law or the facts this was due, no doubt, to the instructions he had received. As he (Mr. C. P. Villiers) was totally unaware of what was going to be brought before the House, he was not prepared to meet all the details into which the right hon. Gentleman had gone. He had marshalled his facts for the purpose of producing a particular effect, but the question involved seemed to be one with respect to the particular powers conferred by the Legislature on the guardians and on the Poor Law Board respectively. The Legislature had provided for the protection of the inmates of workhouses, and for the removal of any person who might maltreat them; and the powers necessary to accomplish this object had been differently distributed—some being given to the Poor Law Board, and others to the local authorities. The right hon. Gentleman seemed to find fault with the course which the central authorities took in not having acted up to their powers, and seemed to think that the guardians had been badly treated, that great scandal had been produced, and that there had been some miscarriage of justice. It did not appear to him that the law required any communication from a Local Board of Guardians to the Central Board before it could inquire into the conduct of any of its officers; but a communication had been made by the guardians of this union to the Central Board concerning certain irregular proceedings that had taken place at this district workhouse school. This was the course usually followed by the guardians if they had a complaint against their officers, and the course prescribed to the Central Board was to inquire into the truth of this matter. The usual course was followed in this case—namely, the papers forwarded to the Central Board were immediately transmitted to the Inspector of the district, and he was instructed to ascertain whether the charges were well founded. The right hon. Gentleman had stated that the papers were sent on the 14th; but they were received, he (Mr. C. P. Villiers) had been informed, on the 16th, and on that day they were transmitted to the Inspector, whom they reached on the 17th. The Inspector was at that time engaged in other business connected with his office; but, however, he lost not a moment, but proceeded as soon as possible to the spot, which he reached on the 21st, and did that which was daily done by Inspectors. He called upon the man charged to appear before him, stated the communications which had reached the Central Board, and informed him that he had been appointed to inquire into the facts of the case. The man was told that an investigation would take place, and that his course would be either to appear before the Board, examine witnesses, and make what defence he could, or state what he could in extenuation, or to admit his guilt, and immediately resign his situation. The course pursued by the Inspector was precisely that which the law prescribed, for by the 46th section 4 & 5 *Will.* IV., the Central Board were directed to appoint competent persons for the administration of relief, &c., to the poor, and it was further enacted that the Board was empowered, upon the complaint of the guardians, to order and direct a competent and fit person to proceed to the place at which the alleged offence was committed, to make inquiry. The Central Board was also empowered to remove any master or officer whom they should deem unfit to discharge the duties of his office. Such was the limited duty of the Central Board. They were directed to see that no unfit or incompetent person should remain in any office; and therefore when a person was charged with misbehaviour they might either call upon him to submit to an inquiry or to resign. But with respect to the punishment of guilty persons, the law had provided that that matter should be in the power of the guardians. If anybody misbehaved in any way the Legislature had distinctly provided that the proceedings to be instituted with a view to the infliction of punishment should be in the hands of the guardians. The right hon. Gentleman had made light of that provision, but it seemed somewhat important in the consideration of this case. The 93rd section of 4 & 5 *Will.* IV. distinctly provided that any officer who might have in any way misconducted himself might be taken before two justices, and upon conviction fined in a sum not exceeding £20, or in default committed to prison for a term not exceeding six calendar months. If the right hon. Gentleman knew as much of guardians as persons who were brought into daily contact with them, he would know that an inducement to proceed against offenders was held out to them by a provision which laid it down that it should be lawful for any Board of Guardians to pay out of the funds in their hands all costs for the apprehension and prosecution of any person who might be charged with misbehaviour or misconduct. A distinct provision was made in 7 & 8 *Vict.* for costs under such circumstances. Well, then, what had happened in this matter? The Inspector having proceeded to the spot found there a Committee of the Board of Guardians appointed to make arrangements for the superintendence of the school in consequence of the suspension of the master. They communicated with the Inspector, who informed them of what had been done, and that he had been instructed at once to proceed in the matter. The Committee, who had been appointed by the whole body of the guardians, were extremely glad to accept his services, and conferred with him for some time. The Inspector then went out and communicated with the master. He returned in a short time and informed the Committee that the master had tendered the resignation of his office unconditionally and absolutely. The Committee made no objection to that course, and the Inspector left on the same day, believing that he had done what the Committee wished and all that he had been deputed to do. The man had resigned; he had been told to quit the place without delay; a new master might be appointed, and the guardians had it in their power to punish the offender if they pleased. He would read a letter which the Inspector had written to the Poor Law Board to inform them of the mode in which he had executed his task. [Mr. Disraeli: What is the date?] He presumed it was the 21st of February—it might have been a day or so after. The right hon. Gentleman then read the Inspector's letter, which stated that he had received the master's resignation, that he had advised the Committee as to what further was required to be done, and that he was not aware that it was the practice of the Board to take any steps under such circumstances. Some time afterwards, when a question was put in the House, he (Mr. C. P. Villiers) inquired as to the nature of the offences, and why the matter had been left in the state it then was. The Inspector gave an explanation which appeared plausible, if not conclusive. He said—

> "I have had great experience in examining painful cases of this kind in which children are concerned, and I have frequently had reason to doubt their veracity. Not that their intention is to deceive me, but they are brought out of the ward of a workhouse, they know what they are expected to say, and I am aware of nothing which is more shocking than the disgusting details which are given by those children. I avoid, therefore, entering on such investigations when it is possible."

But there was another reason. The nature of the charge made it a fit subject for criminal proceedings. The schoolmaster was charged with an assault upon certain children, and what was the position of the Inspector under such circumstances? The guardians supposed that the Poor Law Board would proceed almost judicially, not only in hearing the case, but in passing judgment and inflicting punishment. The Inspector, no doubt, had the power of taking evidence, and the witnesses were sworn; but the doubt was how far the Inspector was entitled to put the schoolmaster on his oath and take evidence which might be used against him at the next assizes. Most persons would say that was an improper thing to do, and it was certainly inconsistent with the general principle of law in this country. The Inspector was, therefore, obliged to use his power very carefully, and the inquiry was, in fact, rather an irregular proceeding, instituted in order that the Central Board might know whether they were called upon to act, and whether the officer ought to be called upon to resign. He wished to request the attention of the right hon. Gentlemen (Mr. Disraeli) to the position of the Inspector in the present case. He obtained the resignation of the officer, and he left it open to the guardians to proceed in the regular way in making out the charge which they said they had evidence to establish. There was, he thought, no ground for complaining of any tardiness on the part of the Poor Law Board in its communicatious with the guardians. They were fully aware of the state of the law and of their power under it, and were somewhat offended with the Inspector for unnecessarily reminding them of it. The wonder was not so much that the Central Board did not act more promptly, as that the guardians did not exercise their powers. They had not the slightest doubt that they possessed the power of proceeding. The question was still asked why they did not even now proceed criminally against this person for the offence with which he was charged. The right hon. Gentleman appeared to wish the House to believe that it was in consequence of the shortcomings of the Central Board and the course taken by the Inspector that justice was not satisfied, and he intimated that this man might some day or other again fill some situation under the Poor Law Board. That, however, would be impossible. The man had not absconded. He believed it was known where he might be found, and it was clear that the guardians might offer a reward for his apprehension and proceed against him. But with regard to his future employment, a record was kept at the Poor Law Board of the resignation or discharge of any officer. The charge against him, his resignation, and the circumstances under which it was offered, were all recorded in the books of the Board. He could not be appointed without the sanction of the Board, and they would not give that sanction without a reference to their books. He confessed he did not know precisely what the guardians had to complain of. They were of opinion, no doubt, that there might have been a communication made to them immediately; but the Board thought it would be much more satisfactory to send the papers and instructions at once to the Inspector. He went down immediately to the spot. He received the letter on the 17th of February, and he was upon the spot on the 21st of February. The right hon. Gentleman would have the House believe that between the 14th of February and the 4th of March no communication from the Poor Law Board was received by the Board of Guardians or their clerk. That could hardly be the case if the Inspector was on the spot by the 21st of February, and in communication with the Committee who carried the resignation to the rest of the Board of Guardians. He did not see that, under these circumstances, the guardians had any reason to complain of any want of consideration or punctuality. He would not pretend to say that the Inspector had taken the very best course, because it would perhaps have been better if he had left the guardians to take proceedings against the schoolmaster before a court of justice. But the Inspector was a most honourable, intelligent, and experienced man, and had acted from the very best motives. There was something like unfairness in imputing to the Inspector a desire to "hush up" the matter. This was rather an odious imputation, and implied complicity. But nothing the Inspector did evinced any intention to hush up the matter. He had no acquaintance with the schoolmaster, he had no quarrel with the guardians, and he had no possible connection with the place or with any person that should lead him to deviate from the practice pursued by himself and the other Inspectors in similar cases. It could not be said that he hushed up the matter when he forced the officer to resign, and told the guardians they might proceed against him either at the assizes or before the justices. He trusted that after this explanation the right hon. Gentleman would be of opinion that there had been no neglect on the part of the Board, nor any misconduct on the part of the Inspector in the course he had pursued in this matter.

Amendment, by leave, *withdrawn.*

COLLECTION OF THE REVENUE IN SCOTLAND.—OBSERVATIONS.

MR. CRAUFURD, in rising to call the attention of the Chancellor of the Exchequer to the method adopted for expediting the collection of the Revenue in Scotland, as shown by Return No. 223 of the present Session, said, that he had been induced to do so partly by what had appeared in some of the prints, and partly from a desire to point out the dissatisfaction which was felt at the mode in which the business of collection was transacted. In 1857, an Act was passed fixing the close of the collection for the 1st January, the day on which the assessed and other taxes should be gathered into the Exchequer. Now this regulation had been found exceedingly inconvenient in its practical application, because it differed from the habits of the country in the collection of rents and the payment of the interest of money in Scotland; and it was probable that the dissatisfaction was really attributable to this circumstance. But, in addition, there was a feeling that the collectors, or rather the Comptroller, at the office in Edinburgh was desirous to make a good show by the rapid collection of the taxes in Scotland. No doubt, it was very desirable that a public officer should discharge his duty with ability and with all due expedition; but he ought not to go beyond that to the inconvenience and discomfort of those who have to pay the taxes; but he thought some little excess had been shown by the head officer at Edinburgh to show its zeal and activity. It was said that a course had even been pursued which was scarcely correct—that such was the coercion used towards the collectors throughout the country, that they had been compelled in many instances to advance money out of their own pockets for the purpose of closing the collection at an early period. He at first thought that there might have been a few exceptional cases of the kind; but the office at Edinburgh had published a tabulated statement of the form of collection, which drew his attention to the matter. It appeared from that statement —which being included in a Return for which he had moved was now before the House—that the collection in sixteen districts had been closed on or before the 31st January, five before the 4th February, and that three others still remained unclosed. That seemed to have been the last bulletin circulated by the Head Office in Edinburgh, containing the latest dates at which any of the collections were closed. But other statements had been circulated, beginning the 3rd January, and going on to the 10th, the 17th, and the 24th. The one first in order only gave a statement of the collections closed without any statement of the collection. On the 3rd February it was stated that in no less than sixteen districts the rate per cent collected on the 31st January was 100 per cent; in the second class there were five between 90 and 100 per cent; and in the third class there were two between 80 and 90 per cent. Sixteen were alleged to have been closed on or before the 31st January, with all the sums collected. Now, he was told that that statement was incorrect; and in consequence of what he had heard he had moved for a Return of the various Estimates in a tabular form in detail, containing the amount of assessment, the net amount to be collected, and the percentage collected on the 1st March; and having heard that some collectors were in the habit of advancing money for the purpose of closing their collections, in order to appear in the good books of the Head Office, he inserted a column requiring the amount, if any, which had been advanced by the collectors for the purpose of closing the collection. He thought that, in order to relieve themselves from pressing applications from headquarters, some of the collectors might have advanced the money, intending to repay themselves out of the outstanding accounts. But to his astonishment, there was scarcely a district in Scotland in which the collectors were not in the habit of advancing money towards the collection; and the result of the return was, that out of sixteen districts that had collected cent per cent on the 31st January, there was scarcely one that had collected cent per cent on the 1st March, so that the statement in the document circulated from the head-office was perfectly inaccurate; and he submitted that it is not a correct mode of dealing with the affairs of the country to misrepresent the state of the collection of the revenue, and to hold up to discredit and disapprobation those collectors who had not thought proper to advance money out of their own pockets in order to enable the Comptroller at Edinburg to make a good show in returning the state of his collection. It appeared strange that the servants of the country should be called upon to pay money in advance of the collection. He found that in Stirling, Clackmannan, and Linlithgow, the amount so advanced was £1,257; in Ross, Cromarty, Sutherland, and Caithness, the amount paid in advance was no less than £1,362. And up to this moment in scarcely any district had the collector been repaid, or able to repay himself out of the collection. Now he wished to ask the right hon. Gentleman on what principle this system had been introduced—what right there was to exact such a course of proceeding from the collectors—whether they are paid for it—whether they receive an allowance or percentage—and how they could go to the taxpayer and ask him to pay taxes after they had published a statement showing that all the taxes had been already collected, and that the full amount of the revenue was in the Exchequer? It seemed to be a most extraordinary state of things. If this had been done voluntarily there would have been no harm in it; but since he first noticed the matter, he had received communications showing that these gentlemen were driven into the adoption of this system. The Comptroller in Edinburgh applied the whip so unsparingly to the collectors that it might be the whole of them had to advance the amount out of their own pockets, thus leading to the false inference that the collection had been closed. He had heard another statement, to the effect that these advances were made by the collectors in consequence of applications having been made in the most peremptory terms. Now it was not at all likely that they would have made advances unless they had been goaded to do so. True, the Comptroller did not ask them in so many words to make the advances, but he alluded to the consequence of not closing the collection, which was utterly impossible except by advancing the arrears — the consequence meaning dismissal from office. He wrote them asking them to close, and that credit would be given afterwards for arrears, the plain meaning of this being that they were to advance the arrears. He hoped the right hon. Gentleman would be able to show that matters were not exactly as they had been represented; but it certainly was extraordinary that out of those sixteen districts that were stated to have closed their collections not one had really done so—that was, that all the taxes have not been gathered in until two months, or fully a month after the date put down. In almost all cases there was still an arrear due. In Aberdeen the amount advanced by the collector to close the collection was £696; in Argyle, Campbeltown, the amount was £775; in Argyle, Inverary, it was £396. On comparing the statements of the account, he found that in the case of Stirling, Clackmannan, and Linlithgow, where £1,257 were advanced, the sum still uncollected is £260; and that in Ross, Cromarty, Sutherland, and Caithness, where £1,300 were advanced, the amount still outstanding is £438, which the collector is still out of pocket. And he wanted to know this: Suppose some of the taxpayers should become insolvent, or dispute the rate, how were these collectors to recoup themselves? He submitted that this was a most unusual course to pursue, and that these collectors would not have advanced these large sums of money unless under some real or imaginary compulsion, quite sufficient in their minds to induce them to take that course. The total amount of money advanced by the various collectors, as shown by the Returns before the House, was £7,585 10*s.* 11*d.*; and the total amount still outstanding on the 1st March was £2,314 12*s.* 3*d.*, which had been paid out of the pockets of these gentlemen. He trusted the right hon. Gentleman would state that such a practice did not meet his sanction, and that some remedy would be adopted to put an end to it.

The CHANCELLOR of the EXCHEQUER said, that with reference to the general system of collecting taxes in Scotland, the hon. and learned Gentleman had stated very truly that they were collected in a different way from the manner in which they were formerly collected, and he regards the change as a grievance towards Scotland, arising from the present system of payment. His (the Chancellor of the Exchequer's) means of judgment on the subject are two. The first was the direct assurance of those who were engaged in the service of the Government in the collection of these taxes; the second was the negative evidence derived from the absence of complaints; and he could say, especially with regard to the second of these means, that his belief was that the system of the collection of taxes which had been introduced into, and was now in operation in Scotland, was satisfactory. He had far less trouble, far fewer complaints with regard to the collection of taxes in Scotland than with regard to any other portion of the United Kingdom; and he thought that was an indication as to what was the real state of the case as to these collectors. With regard to the question to which his hon. Friend particularly referred, it was one which had not been brought under his notice until within the last three or four days. The fact was, that a document called a "billet" was printed under the direction of the Inland Revenue Board for Scotland, and in that document was stated what was the progress made in each of the collecting districts in the performance of that duty. It was true, he believed, as is stated by his hon. Friend, that in certain cases money to make up the collection was temporarily advanced by the collectors themselves. Well, now, that was not an usual mode of proceeding in the collection of taxes; but in his remarks his hon. Friend had not quite clearly observed the distinction between the various parties interested in this proceeding. He was bound to say, with regard to the management of the Inland Revenue in Scotland, that nothing could be higher than the character for integrity and asssiduity of the gentleman (Mr. Fletcher) who is at the head of that important branch of the public service, and nothing could be better than the conduct of that service generally. Mr. Fletcher's was not an independent department; it must be borne in mind that Scotland had its own peculiarities, and the department in that country has certain usages of its own. Now, the important question was, whether there was any pressure put upon the collectors to induce them to make these advances, or whether they made them of their own free will out of their own resources. Now, on that question he could speak most confidently. There was no pressure whatever on the collectors, except the public spirit with which they were actuated. He was told that that was what induces them to make these advances. He hardly need say that no request, no menace, had ever been communicated to them to do this; it was purely and absolutely their own act, growing out of the free will of these gentlemen themselves, although, undoubtedly, those who were laggards in the race do not like the practice. If his hon. Friend had any evidence in his possession showing that a degree of pressure had been exercised upon these collectors to expedite the performance of their office by requiring them to advance money from their own resources, on the receipt of that evidence he promised that no effort on his part shall be spared to put a stop to such a practice; but so long as it was purely voluntary, and a point of honour among the collectors, he did not see the necessity of interference, because, unusual as the practice was, he thought he should have the opportunity of knowing more of it before he interfered; but if the hon. Gentleman could give any information that the slightest degree of pressure has been exercised towards these collectors, the matter should have his immediate attention. He was bound to say it was stated to him on the best authority that no distinction was drawn by the Department between those collectors who choose to adopt this practice and those who did not.

DISGRACEFUL STATE OF UPPER STREET, ISLINGTON.—QUESTION.

MR. COX said, he would beg to ask the Secretary of State for the Home Department, If he had had his attention called to the disgraceful and indecent proceedings which take place every Sunday evening in the Upper Street, Islington; and whether he will take measures for the protection of the inhabitants of that locality from the outrages and assaults to which they are now weekly subjected? The inhabitants of Islington, who paid about £20,000 a year for police rates, were much scandalized at the manner in which this public thoroughfare was kept by the police, and naturally believed that if they had the management of their own police such disgraceful scenes as were now witnessed in Upper Street, Islington, would speedily be put an end to. During the last ten or twelve months it had been impossible for respectable women and young females to walk through this street on their return from their respective places of worship without being subjected to the most scandalous outrages by a set of ruffians who congregated on this wide and open thoroughfare, a fine promenade a mile in length, which the inhabitants were so proud of that they compared it to one of the boulevards in Paris. These respectable females were not only subjected to these indecent assaults, but their ears were polluted by language the most horrible it was possible to imagine. He would not state to the House the language that had been communicated to him as being uttered and the acts done by these ruffians every Sunday evening with impunity. He felt satisfied that if the right hon. Baronet had been at all aware of the disgraceful scenes which took place every Sunday night in this locality, and the language used, he would have been the first to condemn it and endeavour to put a stop to it. Unfortunately the inhabitants were deprived of local self-government in this respect, and they were handed over to the authorities at Scotland Yard, who only gave some two or three policeman for the protection of the public against some 1,500 or 1,600 ruffians who assembled in the place every Sunday night with the determination of insulting and annoying not only the respectable inhabitants but every passer-by. Only one policeman was on duty there, and if he took an offender into custody the respectable female who had been assaulted was left to the tender mercies of the ruffian's companions. One man was apprehended last week, and when taken before the magistrate at the Clerkenwell Police Court, he was discharged bcause the female did not attend to prefer the charge against him. Such a decision, he thought, was only likely to aggravate and not lessen the evil complained of, and he very much regretted that the magistrate had not followed the example of another police magistrate and punished the offenders upon proof of the offence without the presence of the female who had been assaulted. In Newington, where a similar state of things prevailed some time ago, the offenders were punished, and he believed that those outrages had since ceased to be perpetrated in that locality. He felt quite satisfied that the Secretary for the Home Department was as desirous as anybody could be to put a stop to proceedings so disreputable, and he trusted he would take the necessary steps to accomplish that object.

SIR GEORGE GREY said, that his attention had not been called to the subject before the notice was placed upon the paper by the hon. Gentleman. On inquiry he found why his attention had not been called to the matter. As his hon. Friend had stated, there existed in the neighbourhood referred to a wide and enjoyable walk, which on Sundays was much frequented. Among those who availed themselves of the advantage which this walk offered were a great many disorderly young men, and he feared some disorderly young women also. A complaint was made to Sir Richard Mayne about the conduct of these young people, and no appeal had been made to himself because the inhabitants expressed themselves satisfied with Sir Richard Mayne's answer, and with the police arrangements which he promised should be made for the protection of the neighbourhood. The hon. Gentleman had made a mistake in saying that only one policeman was stationed at the spot, because six policemen were placed there, in addition to the occasional services of an inspector and serjeant. The inhabitants were told that the services of the police alone were not effectual to remedy the evil complained of, but that evidence must be given in any cases of misbehaviour by the person ill-treated, or by some respectable inhabitants who had been witnesses of the ill-treatment. His hon. Friend had alluded to one case in which the prisoner had been discharged by the magistrate. On that occasion evidence was given by the policeman, and a number of the inhabitants attended for the purpose of appealing for protection. The police had also apprehended persons for similar misconduct in Westminster Bridge Road, and Newington, and in these instances the magistrate had committed the prisoners, on the production of sufficient evidence, without requiring the appearance of the young women who had been insulted. On the occasion, however, alluded to by his hon. Friend the prisoner said that he was very sorry for what had been done, and promised that if forgiven he would not again frequent the neighbourhood. The magistrate (Mr. Barker) in discharging him, told him that if he were again brought before him on such a charge he would pass such a sentence on him as would keep him away not only from that, but any other neighbourhood for some time, and in answer to the statements of the inhabitants expressed his determination to act vigorously in the matter. Although the prisoner in this instance had been let off because of the non-appearance of the young woman who had been insulted, the magistrate had not stated his intention of treating every prisoner charged with a like offence in a similar manner. He believed that if any of the respectable inhabitants would take the trouble to give evidence in these cases the magistrate would be fully justified in committing a prisoner even in the absence of a prosecutrix. He could assure his hon. Friend that there was no unwillingness on the part of the authorities to afford a sufficient number of policemen—not, of course, to watch every single person, but to give such assistance and protection as was required.

Mr. COX said, he wished to ask the right hon. Baronet, whether, in case six policemen were found to be insufficient to control 1,600 ruffians, an increased force would be granted?

Sir GEORGE GREY said, he did not know that there were 1,600 ruffians. He should hope that the 1,600 persons who frequented this very agreoable walk were not all ruffians. The young women themselves, too, were not always unwilling parties to the misbehaviour complained of. The police force should of course vary according to the circumstances of each particular exigency.

Mr. F. S. POWELL said, he wished to inquire, whether the exclusive responsibility of placing a number of policemen in any locality rested with Sir Richard Mayne; or whether any share of that responsibility rested in the Home Office?

Sir GEORGE GREY: If an appeal were made to me, which was not done in this case, because the inhabitants had expressed themselves satisfied with the present arrangement, I should call upon the Commissioner of Police to explain the reason which induced him to fix any number; and if I saw that that number was deficient I would express to him that opinion.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

(In the Committee.)

CLASS I.—PUBLIC WORKS AND BUILDINGS.

(1.) £48,836, Royal Palaces.

(2.) £100,590, Public Buildings.

Mr. AUGUSTUS SMITH said, that he objected to several of the items in this Vote, on the ground that they ought to be included in the Army Estimates, instead of the Estimates for the Civil Service. Not only were they asked for money for the maintenance and repair of the Chelsea Hospital and the Tower of London, both military charges, but the rents of the Army Medical Inspection office—Delahay Street and Delahay Mews—were also charged under the Vote, in addition to which there were large sums charged for the rent of the War Office. He regretted to find that a practice had sprung up within the last few years of charging the public with rent on buildings which were practically Crown property. He should also be glad to know why the Geological Museum, in Jermyn Street, was not included in the Vote this year? He wished to know why these items were omitted, and whether they appeared in any other Vote?

Mr. COWPER said, it had been the desire of the Government to place the various expenses of each Department, as far as possible, together in the same Estimate. The item for the Geological Museum had, therefore, been transferred to the Science and Art Department, and also the items for the furniture of the museums. With respect to the Tower of London, the portion for the expenses of which a sum was asked in this Vote did not come under the control of the military department, but, being a portion of an ancient palace, was managed by the Office of Works. With regard to Chelsea Hospital, although it was in one sense a military establishment, it had always been treated differently from such purely military buildings as barracks. The building was occupied by the Commissioners of Chelsea, and the cost of repairs came properly under this Vote.

Vote *agreed to.*

(3.) £12,000, Furniture of Public Offices.

(4.) £99,090, Royal Parks, Pleasure Gardens, &c.

Sir HARRY VERNEY rose to put two questions to the First Commissioner of Works. At present persons wishing to pass from Bayswater to Knightsbridge were compelled to do so by traversing three sides of a square, and he thought that an alteration might be made which would greatly conduce to the public convenience. He fully appreciated the beauty and the charms of Kensington Gardens and Hyde Park, but he believed that a sunken road might be made from Bayswater along the eastern side of Kensington Gardens, and carried on by a widening of the existing bridge over the Serpentine, and then be continued under Rotten Row to Knightsbridge. Such a road might be made without causing inconvenience or creating an eyesore. With regard to the second question, he would observe that equestrian exercise had now become so general, and especially with ladies, that it might be termed an English institution. It appeared to him that the ride might very easily be continued from Rotten Row round Kensington Gardens without at all interfering with the public enjoyment of those beautiful gardens. He was fully aware of how much the public was indebted to the right hon. Gentleman for the improvements he had made in the parks, and for the manner in which they were kept. He believed that no capital in Europe could boast such beautiful public gardens as we possessed. He would, therefore, ask the First Commissioner of Works to consider whether it was practicable and desirable to make a cart and carriage communication from Victoria or Buckhill Gate, Bayswater, to Knightsbridge, by means of a sunken road, the bridge over the Serpentine being widened, and a tunnel under Rotten Row, and to ascertain at what expense it could be done; and, whether it would be desirable to prolong Rotten Row, so as to form a road for riding all round the exterior of Kensington Gardens, like that lately made in Birdcage Walk.

Mr. DILLWYN said, he thought that the Committee were bound to give the right hon. Gentleman credit for the admirable way in which the parks were kept. He hoped, however, that tho general acknowledgment of that fact would not stimulate him to expend more money upon them. £30,000 was, after all, a good sum to pay for keeping up St. James's Park, the Green Park, Hyde Park, and Kensington Gardens.

Mr. F. S. POWELL said, he hoped that well-intentioned suggestions would not induce the right hon. Gentleman to destroy the real charm of the public parks. Those who lived in the metropolis must pay some price for the enjoyment of the parks. Either they must be kept as places of recreation, or they must be cut up for roads for the public convenience. The right hon. Gentleman ought to exercise the greatest jealousy with reference to all proposals for increasing the traffic across the parks. He trusted that the right hon. Gentleman would steadfastly adhere to his principle of preserving a great portion of the metropolis for the purpose of promoting the public health as well as for recreation. He (Mr. Powell) was glad to find that the parks were becoming year by year the resort of working men and their children, as well as of the higher and more educated classes, who some years since might be said to be the exclusive visitors of them. He felt bound to pay his tribute of admiration to the right hon. Gentleman for the improvements he had effected in those parks. He hoped, however, that those improvements would not be carried to an extreme by any attempt to give them the character of gardens instead of parks.

Mr. HARVEY LEWIS said, he thought that a sunken road from Bayswater to Knightsbridge, across Hyde Park, might be made, which would be a great convenience especially to the residents at those places, and which would not in the slightest degree interfere with the objects to which the parks were primarily dedicated. The right hon. Gentleman deserved the greatest credit for the care which he took of the parks. It seemed to him that the House had become a great deal too fond of cutting down the expenditure upon the metropolis. Now, although they need not imitate the immoderate expenditure upon parks they ought not to allow themselves to be influenced by that parsimonious feeling which had been creeping in of late years. People who came to London from all parts shared in the enjoyment of these parks, and it was an object, therefore, to which the country at large ought to contribute.

Colonel DUNNE said, he did not deny that the parks were very tastefully kept, but thought that every Member not actually connected with the metropolis ought to look with the greatest jealousy at this expenditure, and he should like to have an explanation of the circumstances under which they appeared on the Votes. Five additional parks had "cropped up" of late years. Battersea Park was one of them. It was understood that its expenses would be paid by the inhabitants and out of some fund mentioned at the time it was opened. Kennington and Victoria were also new parks. No doubt the arrangement and management of them all were admirable, but he wished to know how much each contributed to the Treasury.

Mr. AUGUSTUS SMITH said, he thought that a great reason for the expensiveness of these parks was the ornamental gardening. A large garden establishment, with hothouses and expensive plants of all kinds, had recently been commenced at Battersea Park, the cost of which had increased upwards of £2,000 this year. It would be well if the Treasury would put a check on the exuberant fancy of the right hon. Gentleman. He should like to have an explanation of the Ranger's Department, as distinguished from that of the Board of Works. If a Ranger were not needed for Kensington Gardens, what did Hyde Park or St. James's Park want with one?

Mr. BENTINCK said, the Committee might at all events rest satisfied that sufficient money would be expended upon those parks so long as the metropolis was represented by such able Gentlemen as the hon. Member opposite (Mr. Lewis). It appeared by a foot-note in the Votes that the income derivable last year from the Royal parks and gardens, and which was paid into the Consolidated Fund, was £3,584 odd. Now a whole crop of parks had lately burst upon us. He wished to know how many of them contributed towards the amount of income to which he had referred.

Mr. COWPER said, he agreed with the hon. Member for Buckingham (Sir Harry Verney) that it would be very desirable to enable carts and omnibuses as well as cabs to go across from Bayswater to Kensington during the day and night, provided that object could be attained without any sacrifice of the pleasure and enjoyment of the parks. The matter was thoroughly discussed in 1862—the Exhibition year—when it was proposed to make a sunken road across Kensington Gardens, and strong objections were urged against making a gash, as it was called, across Kensington Gardens. The reception which the proposal met with was not an encouragement to repeat it. That scheme, however, was much less objectionable than that now proposed by the hon. Baronet, which was to have two tunnels or sunken roads, one on each side of the bridge. One would have to pass under Rotten Row, and would make a disagreeable feature in that part of the park. His hon. Friend had pointed out the disadvantage to which Rotten Row was exposed by not leading anywhere; and, no doubt, it would be very desirable if Rotten Row could be prolonged round the outskirts of Kensington Gardens. It had been considered, and was feasible, but he was not prepared to do anything at present. If the hon. and gallant Gentleman (Colonel Dunne) had studied the Estimates more carefully, he would have seen that there were no new parks. Battersea Park was fifteen years old. The expenses of making it were defrayed out of a loan of money made by the Public Works Commissioners, and would be repaid in the course of time. When the land set apart round the park for building purposes was built upon there would be an ample sum to repay the money advanced. The delay had arisen from the slowness of building operations in that part of the town, and perhaps also from the fact of there being a toll bridge there. He did not remember the date of Kennington Park, but certainly no new park had been made since he was in office. This was not an increasing Vote, and though it was slightly higher this year than last, it was lower than it had been in previous years. The expenses in the way of gardens and hothouses really formed a very small part proportionately of the whole expense. The great burden lay in the expense of maintaining the roads and watering them, and in keeping order by constables. There were seven miles of road in Hyde Park, and seventeen miles of walks. He was glad to find that the House was of opinion that the parks should be kept up in a perfect state. They were enjoyed by people coming from all parts of England, Ireland, and Scotland, they belonged to the Crown, were used by the nation, and ought to be worthy of the Empire. The £3,584 set down in the Estimates was the amount of receipts for grazing sheep in the parks. The grazing had the double advantage of improving the herbage and producing some revenue, and he must say that Battersea Park had contributed its full quota in that respect.

Sir FRANCIS GOLDSMID said, he wished to call the right hon. Gentleman's attention to the fact that the ornamental water in the Regent's Park smelt so badly in hot weather that it was injurious to the health of the neighbourhood.

Colonel DUNNE said, that the £99,000 was all for the metropolis, with the exception of £2,000 for Holyrood Palace. There was nothing for Ireland in the Vote, though there was a magnificent park of between 6,000 and 7,000 acres in extent, close to Dublin, and though the Government were at this moment about to make a gross infringement on the public rights by handing over the Curragh of Kildare to the War Department.

Mr. BENTINCK said, he wished to know which of the metropolitan parks was self-supporting, and which of them contributed something towards the sum of £3,584 referred to.

Mr. COWPER said, that all the Royal parks contributed something to this amount, though not one of them was self-supporting. When they came to the Votes for Ireland it would be found that a sum would be taken for Phœnix Park.

Colonel DUNNE said, they paid much more money than they got back.

Mr BENTINCK said, that it would appear that none of the metropolitan parks were self-supporting, and that while some of them contributed a small sum towards their maintenance, the others were entirely kept up out of the public purse. He was glad to get the admission from his hon. Friend that they annually voted a large sum out of the public purse for the benefit of the metropolis. He hoped to live to see the day when there would be a successful resistance to this Vote.

Vote *agreed to.*

(5.) £49,456, New Houses of Parliament.

Mr. F. S. POWELL said, he wished to ask for explanations on two or three points connected with this Vote; and first as to the clock tower, and the mode in which it was to be completed. Part of the original design was a large enclosed square between Westminster Hall and Bridge Street, and it was intended that the clock tower should form part of the block of buildings instead of rising from the ground independently. In consequence of the view of Westminster Abbey which was obtained from the open space in New Bridge Street it had been determined to depart from the original design of Sir Charles Barry, and have the clock tower springing from the ground instead of rising from a square, and he hoped the right hon. Gentleman (Mr. Cowper) would give some explanation of the plans for the modification, and name the architect who was to carry it out. He considered, too, that plans of the proposed change should have been submitted to the view of hon. Members. The next question he wished to ask referred to the Peers' Robing Room and its decorations, especially, "Moses Coming Down from Mount Sinai," and the "Judgment of Daniel." He wished to know what was the arrangement between the Government and Mr. Herbert with respect to the "Judgment of Daniel." Had Mr. Herbert received full commission for the completion of the design? Were they in future years to have a painful controversy respecting the sum which should be paid to that most distinguished of modern artists? Had any negotiation been entered into with reference to the completion of the full design for the decoration of the Robing Room? Two other pictures having been planned by the artist, he wished to ascertain whether any arrangement had been made in reference to the entire execution of the comprehensive plan first conceived? Another question he wished to ask referred to the Royal Gallery—namely, whether Mr. Maclise's picture of the "Battle of Trafalgar" was nearly completed?

Mr. COWPER said, it would be in the recollection of the House that after the discussion last year respecting the remuneration of Mr. Herbert a Commission was appointed to consider the whole subject of remuneration for the wall paintings. That Commission recommended that the payment of Mr. Herbert for "Moses delivering the Law on Mount Sinai" should be raised to £5,000; and it also recommended that the agreements for those wall paintings should be cancelled, as they were inapplicable to present circumstances. The Government had acted on these recommendations, and were prepared to propose to Parliament the Vote now necessary in order to raise the payment for "Moses delivering the Law on Mount Sinai" to £5,000. They had asked Mr. Herbert what sum he should expect to receive for his next picture, "The Judgment of Daniel," and he named £4,000, which sum the Government were advised would be a proper one to give him; accordingly, an agreement had been entered into with Mr. Herbert for that amount. The design for this picture had been approved by the Fine Arts Commission, and was a fine composition, and there was every reason to hope that the next picture would equal the former in power, and expression, and impressiveness. Mr. Maclise had nearly finished his picture, and would shortly be entitled to receive payment, which was to be raised from £3,500, as it stood under the original agreement, to £5,000. The future paintings of Mr. Cope and Mr. Ward were to be raised by £100 each, according to the recommendation of the Fresco Commissioners, and each picture would in future be made the subject of a distinct agreement. The sum proposed for completing the clock tower and New Palace Yard was intended to be spent in this way:—The side of the clock tower which was now imperfect would have the same front as the sides towards Westminster Bridge and towards the river. It was proposed to take advantage of the higher level of the ground in Bridge Street to make a subway, by which Members proceeding from Palace Yard might escape the danger of the present passage, and reach the other side of the road without crossing the causeway. This subway would open into the station of the Metropolitan District Railway, which was proposed to be made on the other side of Bridge Street, so that persons coming to and from Westminster would be able to pass into and out of the station without crossing the road. With regard to the open space, he would not adopt the suggestion of Sir Charles Barry of converting New Palace Yard into a quadrangle. It was proposed not to erect any more buildings around New Palace Yard. He preferred the grand effect of combining New Palace Yard and Parliament Gardens in one large open square, laid out as a whole, and securing a good view of the Abbey. The whole extent of space would therefore remain open ; but it was proposed to put an iron fence where the wooden one now was, to cover the sloping ground with green turf, and to plant it with trees, for trees would flourish there if they were of the proper sort and well taken care of. Some expense would be incurred in levelling Palace Yard. In another year the arrangements would be completed for laying out Parliament Square. He had not been able to include all that in the Estimates this year. The architect intrusted with these matters was Mr. Edward Barry, who had shown much of the talent and power of his father, and the Department had entire confidence in him. The hon. and learned Gentleman would see clearly what was to be done from what he had stated. He had no specific plan to exhibit ; but the plan the Government proposed would be gladly shown to the hon. Member.

MR. F. S. POWELL said, one question he had asked had not been fully answered, with regard to the pictures for the Peers' Robing Room. He had asked what arrangements were made with Mr. Herbert for the paintings to decorate that room, and whether the "Judgment of Daniel" was to be executed on the walls of the room, or on canvas, to be fixed after its execution.

MR. COWPER said, the Fine Arts Commission had estimated for eight pictures, but Government were unwilling at present to commit themselves for that number. The last agreement was for the picture of "The Judgment of Daniel;" but the complete series would, of course, be painted by Mr. Herbert. He had prepared designs, and they had been approved by the Fine Arts Commission. Although, therefore, the Government had not asked the House to commit itself by the approval of a new agreement for many pictures, yet it was generally understood that there was no intention to deprive Mr. Herbert of what the Fine Arts Commission had committed to him —namely, the completion of that room, whenever Parliament provided the funds. "The Judgment of Daniel" was not to be executed in the room, but in Mr. Herbert's studio, on canvas, and to be placed on the wall when completed. This arrangement had been submitted to Sir Charles Eastlake, who entirely approved it.

MR. BRISCOE said, he was glad to think there could now be no doubt as to the future intentions of the Government, that Mr. Herbert should have the opportunity of completing the other pictures pointed out by the Fine Arts Commission in the room in which he had already achieved such success.

SIR WILLIAM FRASER said, he wished to ask, if the Government were determined not to allow a station on the Metropolitan Railway near the House of Commons ? It had formerly been proposed to construct a railway close to the Houses of Parliament, but an objection, he understood, had been raised that it would interfere with the rights of the Crown. He wished to have some explanation upon this point ?

MR. ALDERMAN SALOMONS said, he wished to know, if Mr. Herbert had abandoned fresco and adopted canvas ?

MR. COWPER said, that the room in the Lords where "The Judgment of Daniel" was to be placed required by the Peers, who could not give it up to enable Mr. Herbert to paint the wall ; the only alternative therefore open to him was to paint on canvas and carry it into the room after being completed. Mr. Herbert, who was the best judge of what his pencil could execute, had told him that the new painting would exectly harmonize in colour, tone, light and general appearance with that now on the wall. The Government had not objected to the station of the Metropolitan Railway, but to the railway taking possession of the tunnel from Palace Yard. The station would be not in Palace Yard, as was proposed, but opposite the tower, on the other side of Bridge Street.

The railway company had power to take the houses on the north side of Bridge Street, provided they obtained the assent of Government, and that assent would only be given on the condition that any houses which might be erected in lieu of those to be pulled down should be built in a style which would harmonize with the architecture of the Palace.

Mr. DARBY GRIFFITH said, he wished to ask, whether the houses were to be built in the Gothic style?

Mr. COWPER said, that they would be in the Tudor, not in the Gothic style.

Mr. DILLWYN said, he wished for information as to the large sum asked for the housekeeping expenses of the Houses of Parliament, amounting to £22,761. There was a sum of £4,775 for gas, the greater part of which, he understood, was consumed in the private residences in the Palace. This appeared to be an enormous sum for the purpose, and he was desirous to know whether the amount of gas was accurately measured by proper persons appointed for the purpose, as he thought there must be great waste somewhere?

Mr. COWPER said, that the large amount of gas consumed had been already brought under his notice. Dr. Percy, under whose superintendence the Houses were lighted and warmed, had been making a careful measurement of the amount consumed, and they were rather surprised at the office to find how much gas was used in the private residences. The attention of the occupiers of the private residences had been called to the fact, and a considerable saving had already been effected. He had no doubt that next year they would be able to make a further reduction.

Mr. CRAUFURD said, he wished to ask what amount had been expended in the restoration of St. Stephen's crypt. There was an entry of £2,055 only in the Votes for that purpose, but he understood that it had, in fact, cost £30,000.

Mr. COWPER said, that the chief expense connected with the crypt at present was incurred in lighting it with gas, and the gasburners would be expensive, as they were obliged to be in harmony with the rest of the structure. He could not say exactly what the restoration had cost, as it was included in contracts for the whole building; the stone work had been calcined in the fire, and had required to be renewed. He should say that a sum of £3,500 would cover the cost of the decoration in painting, marble, and in painted glass. The charge for painting and gilding was £630.

Mr. DILLWYN: What is to be the use of this crypt?

Mr. COWPER: It is a place of worship, and I presume it will be used as such.

Mr. WYLD said, he wished to draw attention to the letters which appeared in the *Standard*, from a former officer of the House, complaining of the state of the boilers, and the danger likely to ensue from the want of proper superintendence. There were four steam boilers, connected with the warming and ventilation of the House, immediately underneath where they were sitting. He wished to know whether they were under proper scientific superintendence. He might also say that the ventilation of the House was most unsatisfactory, it being alternately either too cold or too hot. He hoped the right hon. Gentleman would be kind enough to direct the officers of the House to attend to the matter, and, while he was seeking to surround hon. Members with the fine arts, would not altogether forget their comforts. Hon. Members on the Government side of the House often suffered considerable personal inconvenience.

Sir WILLIAM FRASER said, he hoped the right hon. Gentleman would attend to the health and convenience of hon. Members on the Opposition Benches as well as of those occupying seats on the Government side of the House. The fact was, there were frequent complaints as to the ventilation on both sides of the House; for from some mysterious cause between the hours of four and six in the afternoon many Members were in a state of semi-asphyxia. He believed it was owing to the imperfect state of the ventilation.

Mr. COWPER said, that the hon. Member need not have the slightest fear respecting the boilers, as Mr. Fairbairn had reported as to their entire safety, and had undertaken to keep them in order. He was sorry if the drowsiness of hon. Members were attributable to the ventilation, but everything possible should be done to supply pure air and to prevent hon. Members feeling any unpleasant effects from bad ventilation.

Vote *agreed to*,

(6.) £5,708, Embassy Houses, &c. at Paris and Madrid.

(7.) £3,455, Embassy Houses, &c. at Constantinople.

(8.) £60,000, New Foreign Office.

(9.) £9,139, Industrial Museum, Edinburgh.

(10.) £17,893, Probate Court and Registries.

MR. COWPER said, in answer to a question, that the buildings in Doctors' Commons stood in the way of the proposed new street from the Mansion House to Blackfriars, and would have to be pulled down. No expense would be immediately occasioned by pulling them down, because the Metropolitan Board of Works, which would purchase the property, would be bound to supply another registry, to which the deeds would be transferred until they could be removed together with the whole of the probate registers to one building in the proposed new courts of justice. Then the site of that registry would be for sale, when owing to the opening of the new street it would be more valuable.

Vote *agreed to.*

(11.) £28,750, Public Record Repository.

MR. F. S. POWELL said, he wished to ask whether the same style of architecture would be adopted for the enlargement as in the present building, and whether there would be adequate provision made against the casualty of fire?

MR. COWPER said, that one complete design had been made of the whole building, and this Vote would enable one wing and also a tower to be completed. The reason for proceeding with the tower in preference to the other parts was because it would give them a reservoir for water, which would be available against any outbreak of fire in the buildings in Rolls Court.

Vote *agreed to.*

(12.) £12,000, New Westminster Bridge.

MR. ALDERMAN SALOMONS said, that there were very large estates the funds arising from which were applicable to the building of Westminster Bridge, but those estates had been taken by the Government, and were now merged with the other estates under the management of the Office of Woods, and the present expenses of that bridge would far exceed anything which those estates would yield. The history of the new bridge illustrated the unfitness of Government for the execution of such works. The contractor having failed the Government undertook to build it themselves by measure and value. He thought what had been done showed that the Government were unable to construct a work which required skill. It cost a very large sum, and was certainly a very handsome structure; but although the bridge was a wide one, it was divided into narrow roads, along which it was intended that the traffic should go. Those Government grooves were so inconvenient that the police had great difficulty in compelling the public to keep to them; and now the trams were being taken up. The level of the bridge had also been altered, and some hundreds of tons of useless material with which the arches had been loaded were now being removed at an expense of nearly £10,000. He hoped that there would be no Vote of the same kind in the Estimates for another year. Moreover, there was a further expense to the State of £2,500 per annum for watering, cleansing, and lighting the bridge. As the bridge had been built at the cost of the country, it was surely not too much to expect that the local districts should pay for its cleansing, watering, and lighting as in the case of country bridges.

MR. COWPER said, he was glad to hear the hon. Member admit, although he said the Government could not construct a bridge that required any skill, that Westminster Bridge was a handsome structure. He declined to be responsible for what the hon. Member termed "the Government grooves," or trams on the bridge, because from the beginning he thought it a mistake to place them in the middle of the road, and they were now being removed to the sides. His motive for not at once insisting on the correction of the mistake of the engineer in that respect was, that it would have delayed the opening of the structure to the public. The present Vote would cover all the expenses that could be incurred for these alterations. The change in the level was required through Mr. Page the engineer not having strictly adhered to the Parliamentary plan. It would be very desirable that the parishes should undertake to pay for the cleansing and lighting of the bridge, but they could not easily be induced to do so. The answer of the parishes on that point was, that since its erection the bridge had been maintained out of trust funds. Although the item of £2,500 might be an annual one, yet the State had received trust property which amounted, when taken, to £11,000 a year.

Vote *agreed to.*

(13.) £9,500, Nelson Column.

Sir WILLIAM FRASER said, that the designs for the lions for the column could not have been intrusted to better hands than those of Sir Edwin Landseer, but a long delay had taken place, and he wished to inquire when it was probable that the lions would be completed.

Mr. COWPER said, that Sir Edwin Landseer had been fastidious in doing this work, for feeling how much was expected of him, he was not content with anything which would fall short of the standard of excellence which he felt his genius could attain. He was happy to say that the model of the first lion was completed, and now in the hands of the casters, being put into metal, and he hoped that the others would follow very rapidly, so that, probably, next year they might see the whole four.

Vote *agreed to.*

(14.) £4,500, Patent Office.

Mr. DILLWYN said, it had been proved before the Select Committee of last year that the Patent Office was crowded and insufficient for its purpose, and he thought that spending any more upon it was like throwing good money after bad. It would be better to take the bull by the horns, and erect a suitable office and library at once.

Mr. F. S. POWELL said, he wished to know if there was any present intention to carry out the recommendation of the Committee as to the patent library? With reference to the museum, he desired to be informed whether it was to be a museum confined to patent inventions, or including mechanical arts generally? Was the museum to be continued at Kensington, and was it to be upon the pattern of that in America or of the one in Paris?

Mr. COWPER said, that the Committee were unanimous that the Patent Office should be near Chancery Lane. They also thought that it was not desirable that the Museum should be in close proximity to the office. They also thought that it might be a museum of general mechanical inventions. The Government felt that accommodation should be at once provided for the Patent Office, while they thought that the museum might wait for further consideration. They also thought that no better site than the present could be had for the Patent Office; and they therefore would continue it in the present building, to which, however, they would add another storey for a library room and for the convenience of reference. A portion of the house in Southampton Buildings, which was used for other offices, would soon be given up to the Patent Office. As to the Museum, the Government had not yet come to any decision upon it.

Mr. F. S. POWELL said, he thought the building in which the patent models were at Kensington was extremely inadequate for the purpose, and asked whether the Government would extend it.

Mr. COWPER said, that this building would soon be removed, but another might be erected.

Mr. DILLWYN said, he did not agree that the Museum should be at Kensington.

Vote *agreed to.*

(15.) £10,000, Metropolitan Fire Brigade.

Sir WILLIAM FRASER said, he believed it to be the general opinion that the duty of extinguishing fires in London ought not to be left entirely to the insurance companies, however meritorious their efforts had been, and however ready they were to assist in saving property, whether insured or not. It might be very desirable to establish a central fire brigade in the metropolis, but he thought it would be well if some explanation were given by the Government of this novel item amounting to £10,000.

Mr. T. G. BARING said, that the £10,000 would only be made use of if the House assented to a Bill which he should ask leave to introduce next week for the formation of a metropolitan fire brigade. At present the protection of the metropolis from fires was entirely in the hands of the insurance companies, which had proved efficient brigades for their own purposes; but the Committee of 1862 reported that the means now in existence were quite inefficient to protect the metropolis. It was, therefore, proposed to place the duty in the hands of the Metropolitan Board of Works. The insurance companies had agreed to contribute £10,000 a year towards the new brigade; the Metropolitan Board would levy a rate of not more than a halfpenny in the pound within the metropolitan area for the same purpose; and, in consideration of the large amount of Government property and of public buildings which would enjoy protection, it was thought not unreasonable that £10,000 per annum should be contributed in aid of the brigade from the general taxation of the country, that being the same proportion which was contributed to the cost of the metropolitan police. The total cost of the brigade would be £50,000 a year.

COLONEL DUNNE said, there could be no objection to the imposition of a tax on the metropolis for the protection of the property of its inhabitants. But he saw no reason why the country generally should be required to contribute to such a charge. Were not the public buildings insured, and if they were insured, was it not the business of the insurance companies to provide against their destruction? That was a matter in which the great question of general and national, as distinguished from local and metropolitan taxation was involved, and he held such decided views upon the subject that he should feel it his duty to oppose the Vote.

SIR GEORGE GREY said, that the proposed payment was not in aid of the local rates of the metropolis, but in respect of the protection which would be enjoyed by public buildings in which the whole country had an interest. They were in London because London was the seat of the national Government. It was only reasonable that the Houses of Parliament and public offices in which the whole business of the country was transacted, should be protected from fire by the help of the public funds.

MR. LOCKE said, that the rate would be paid all over the metropolis, and why should not the Government pay as well as everybody else for the protection which would be afforded to the Government buildings?

MR. BENTINCK said, that the explanation of the Home Secretary was more remarkable for ingenuity than for candour. He said that this Vote was for the protection of public property. But the proposed fire brigade was for the protection of property generally in the metropolis; and the protection of the public buildings was only a collateral circumstance. This was another attempt to dive into the public purse for the benefit of the metropolis; it would add to the profits of the insurance companies, amounting to a grant to them, so that they also would share in the general taxation of the country. There was no pretext for the Vote.

MR. THOMSON HANKEY said, that the House was not asked to vote the whole sum required for the protection of life and property in the metropolis, but only to contribute to the general charge in respect of the property of the nation, such as the Houses of Parliament, the Palaces, the public offices, and Woolwich Arsenal and Dockyard.

SIR JAMES ELPHINSTONE said, he should support the Vote, believing it to be a step in the right direction. He thought the Government ought to contribute their fair proportion towards the rates of the country.

MR. BRADY said, if the Vote were agreed to, other large towns would ask the House to make them grants for the establishment of fire brigades. The reduction of the fire insurance duty would greatly improve the business of the fire offices, and there was the less reason for subsidising them with this Vote of £10,000 for that was the real object of the Vote.

MR. ALDERMAN SALOMONS said, that the existing brigade was supported by those who insured their property; the State did not insure, and it was not right that those who did, should have to bear the cost of protecting the national property. In Manchester and Glasgow the fire insurance offices did not provide brigades, but they were provided by the town.

MR. POLLARD-URQUHART said, he wished to know, whether the contribution of £10,000 would be repeated in future years? He thought it too large.

SIR WILLIAM FRASER said, he wished to inquire, what would be the character of the brigade which was about to be established?

SIR GEORGE GREY said, that the Government could not attempt to bind the House of Commons in future years. The sum which was now asked for was intended as a contribution towards the establishment of a fire brigade of a more extensive character than that which now existed. That brigade would be placed under the management of the Metropolitan Board of Works; the insurance companies would contribute a sum towards the general expenses, and would hand over their plant and engines; and the brigade would be supported partly by a general rate and partly by a contribution from the insurance offices and a grant from the public revenue in consideration of the protection which would be afforded to the national buildings.

Mr. DILLWYN said, that hon. Gentlemen talked of the necessity for insuring the Houses of Parliament, but they had already done that by a Vote of £1,650 which the Committee had passed that evening.

Mr. COWPER said, the Vote which had been already passed was merely for means for the extinction of fire within the Houses of Parliament; but the £10,000 now asked was to provide for fire brigades outside. One of its purposes was to secure fire engines for the security of property on the banks of the river, including docks, such as those at Woolwich; and a Government contribution was necessary. When hon. Gentlemen considered what the loss would be if Woolwich Dockyard were consumed by fire; and the various public offices, barracks, arsenals, that were to be preserved, they would not grudge the sum required.

Colonel DUNNE said, that £10,000 a year represented an insurance upon £4,800,000, and he thought this a most expensive method of insuring public property. He wished to know why the brigade was not to extend to all Government establishments throughout England?

Sir JAMES ELPHINSTONE said, he hoped it would be remembered that it was not merely buildings, but valuable records and public papers that were to be preserved.

Vote *agreed to.*

(16.) £20,000, Public Offices Site.

Sir WILLIAM FRASER said, he wished to ask, whether this included the purchase of the block of houses extending from opposite the Duke of Buccleuch's house towards Westminster Abbey?

Mr. COWPER explained that he had intended to introduce a Bill for the purchase of the property opposite the Duke of Buccleuch's house and down to Upper Charles Street. Arrangements could not be made in time for the introduction of a Bill this Session, but he hoped that it would be submitted to the new Parliament.

Vote *agreed to.*

(17.) £1,559, Legation House, Tangier.

House *resumed.*

Resolutions to be reported on *Monday* next.

Committee to sit again on *Monday* next.

Sir George Grey

ECCLESIASTICAL LEASING ACT (1858) AMENDMENT BILL—[Bill 140.]

SECOND READING.

Order for Second Reading read.

Mr. W. LESLIE said, he wished to ask for some explanation of its objects.

Mr. WALPOLE said, the Bill was framed to remedy an anomaly which now existed in regard to chief rents and quit-rents arising out of property in the north of England.

Motion *agreed to.*

Bill read 2°, and *committed* for *Thursday* next.

DOCKYARD EXTENSIONS BILL.

On Motion of Lord Clarence Paget, Bill to enable the Admiralty to contract for certain works in connection with the extension of Her Majesty's Dockyards, *ordered* to be brought in by Lord Clarence Paget and Mr. Childers.

Bill *presented,* and read 1°. [Bill 145.]

CROWN SUITS, &c. BILL.

On Motion of Mr. Attorney General, Bill to amend the procedure and practice in Crown Suits in the Court of Exchequer at Westminster; and for other purposes, *ordered* to be brought in by Mr. Attorney General, Sir George Grey, and Mr. Solicitor General.

Bill *presented,* and read 1°. [Bill 146.]

House adjourned at a quarter after Twelve o'clock, till Monday next.

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HOUSE OF LORDS,

Monday, May 15, 1865.

MINUTES.] — Public Bills — *First Reading* War Department Tramway (Devon) (No. 104.)

Committee — Married Womens' Property (Ireland) * (53); Isle of Man Disafforestation (Compensation) * (91).

Report—Isle of Man Disafforestation (Compensation) * (91).

AUDIT OF THE PATENT OFFICE ACCOUNTS.—QUESTION.

The Earl of WICKLOW desired to put a Question to his noble Friend the Lord President with reference to the accounts in the Patent Office. He found that in the Select Committee on the Resignation of Mr. Edmunds, the noble Earl opposite (the Earl of Derby) asked the Chancellor of the Exchequer the following question:—

> "Is it the case that a number of officers, among others the Clerk of the Patents and the Clerk of the Commissioners of Patents, may hold in their hands just as much public money as they think fit, and pay it if they think fit, and if they pay nothing at all, there are no means of calling them to account for such non-payment?"

In answer to the Question, the Chancellor of the Exchequer said —

> "That is a very true description of the case of the Clerk of the Patents, as far, at least, as it concerns the Treasury; and it would not surprise me at all to find that there were a great number of other officers in a similar condition."

He should, therefore, be glad to know Whether, now that this case had been brought so prominently before the public, it was the intention of the Government to allow such a state of things to continue? It would be exceedingly hard upon the people of this country if the money which they contributed towards the revenue was to be applied in any way towards making good the deficiencies of these fraudulent officers. He trusted that the Government had a Bill for the correction of such abuses in contemplation, and that by some means or other a proper system of auditing the accounts would be provided.

Earl GRANVILLE reminded his noble Friend that he had not given any notice of his Question. He might, however, state with regard to the Clerk of the Patents that there would be in future certain quaterly returns which would exercise a check on behalf of the Crown. His noble Friend was mistaken in stating that the funds were taken out of the pockets of the taxpayers. The whole matter was now under the consideration of the Government.

OFFICERS OF THE LATE EAST INDIA COMPANY'S ARMY.

PETITIONS. OBSERVATIONS.

The Earl of DONOUGHMORE rose to present a Petition from Brevet Major Piers, Bombay army, and to call attention to the grievances of the officers of the late East India Company's army. The noble Earl said, he had hoped that this matter would have been taken up by some noble Lord more conversant with Indian affairs; for himself, he had never been in any way connected with the Indian service, and he knew nothing of this particular subject of the grievances of the Indian officers until, by accident, this petition was placed in his hands. When he read the petition, however, he must say he considered the case a hard one, and the inquiries he had been led to make rendered it necessary that he should accompany its presentation with these remarks. He might admit that he looked upon the amalgamation of the services in India as a necessary consequence of the Act of Parliament of 1858 abolishing the rule of the Company and transferring it to the Crown. The management of India came by that Act into the hands of the Secretary of State in Council; but it was quite understood at the time that the guaranteed position of the officers of the Indian army should be religiously observed. In the Royal army were a great many young men who only served for a few years and then retired; but in the Indian service men remained for twenty or thirty years in a distant country upon the distinct and positive understanding that they should receive certain benefits and be promoted in a certain manner. These men were—he did not say it invidiously—almost universally poor men, and therefore it was a matter of the most vital importance to them that their pay should increase as they advanced in years. He could not approve the manner in which the Government proceeded to carry out their pledge. In July, 1860 a Committee, presided over by a noble Lord a Member of the other House (Lord Hotham), was appointed, to inquire into the mode in which the amalgamation which the Government had determined upon, should be carried out. In one month they reported, and in the following January the Indian Minister issued his well-known despatch. This created the greatest confusion and consternation in India; and, in 1863, Sir Charles Wood was compelled to appoint the Commission presided over by the noble and learned Lord (Lord Cranworth). Lord Hotham's Committee took but a month to consider, and the Secretary of State five months. Now, looking to the vast importance of the subject, and the great number of details involved, he thought advantage would have arisen from taking a little more time for consideration. The despatch occasioned the greatest consternation in India, and volumes of queries were sent home by the local Government to the Secretary of State for India, and things had been going on in this state for the last four years. The grand feature of the despatch of 1861 was the establishment of the Staff Corps, which was in direct antagonism with the principle of promotion by regimental seniority. Many petitions were presented in that House complaining of the conduct of the Secretary for India; and the result was that a Royal Commission, consisting of noblemen and Gentlemen, and presided over by the noble and learned Lord opposite (Lord Cranworth), was appointed, and they reported that, as regarded five separate points, the guarantee given by the Act of 1858 had not been kept by the Government. As to two of these points relief had been granted, but as to three of them they had been entirely disregarded. His Lordship then proceeded to refer to the case of certain lieutenant-colonels whose names were retained on the list, although they had accepted retirement on pensions higher than the usual rate, a proceeding which had the effect of retarding the promotion of other officers. Another complaint was that the average service of lieutenant-colonels for promotion to the rank of colonel had been proved to be ten years; twelve years had been fixed as the period, thus retarding promotion for two years. They further complained that their case had not been properly entertained by the Royal Commissioners, and that while all the evidence adduced on behalf of the officers was known to the India Office, the converse of the proposition was not true, for that the case of the India Office had been altogether concealed from the officers. Another point on which the Commissioners had not reported in favour of the officers was the question of bonuses, which were given to senior officers to induce them to retire. Those bonuses, although now declared to be illegal by the Secretary of State for India, had been recognized by a General Order of the Commander-in-Chief, which approved of the bonus system as most beneficial to officers and to the service. It seemed hard, after officers had been making sacrifices by contributing a portion of their monthly pay for the purpose of securing promotion, to have it suddenly declared that the system was illegal. It had been stated in another place that a great number of Indian officers who had signed petitions had at the same time gone to the Secretary of State for India and assured him that they were perfectly contented with the present state of things; but when that statement was made, the right hon. Baronet was challenged, and he was unable to bring forward a single case in which an officer who had signed a petition had stated he was not dissatisfied with the arrangements that had been made and the consequences that flowed from them. He (the Earl of Donoughmore) trusted that Her Majesty's Government would take the entire matter into their consideration. It was a serious thing to have the officers of an entire army in a state of discontent. The question ought to be settled in a just and liberal spirit, and as they would have to do it at last the sooner it was done the better. When they considered the great services which these men rendered during the Indian mutiny, he thought their Lordships would agree with him in saying that there was no class of men more worthy of the consideration of the Government and of Parliament than the officers of the Indian army.

Lord DUFFERIN: My Lords, before I endeavour to reply to the strictures passed by the noble Earl upon the military arrangements of the Secretary of State for India, I am most anxious to bespeak your Lordships' indulgence and forbearance, not only because this is the first occasion of my addressing you in an official capacity, but more especially because the subject with which I have to deal is one of so difficult and complicated a character, that even, perhaps, the most practised speaker might find it impossible to render very clear or interesting. Nevertheless, I am very glad that the grievances of the officers of the Indian army should have been brought under your Lordships' notice. It is always most desirable, whenever any class of Her Majesty's subjects consider themselves aggrieved, that the earliest opportunity should be afforded them of having their complaints examined, in order either that they may obtain redress, or, if they should prove to be unfounded, that they should have the consolation of knowing that the most ample justice has been done them by an Assembly so impartial as your Lordships' House; and, my Lords, I am especially glad that your Lordships should have an opportunity of intervening on the present occasion, inasmuch as the singular want of interest shown in the various questions which have been raised by the petitions of these Indian officers in another place (though resulting in a division favourable to the complainants) will probably be regarded with as little satisfaction by the officers themselves as I believe it has been by the public at large. I must, moreover, congratulate the Indian officers on securing so able an advocate as the noble Earl. The noble Earl is himself a soldier, and has served with distinction in the East, and whatever he says in this House is always listened to with the greatest attention and respect. Although, therefore, I am unable to agree with the views taken by the noble Earl, I am ready to welcome him as a useful auxiliary in my endeavour to place your Lordships in possession of the true facts of this controversy. For, my Lords, I can assure the House that I have no desire by any special pleading to make out a case against the Indian officers. On the contrary, I shall best discharge my duty to your Lordships, and to the Department with which I am connected, by endeavouring simply to place the House in possession of the materials necessary to form a just opinion ; but if I can only succeed in doing so, and can make the House understand the immense difficulties with which the Secretary of State has had to contend, the manner in which those difficulties have been met, and the way in which the officers who now complain have been affected by the arrangements of Sir Charles Wood, I am convinced that your Lordships will not only consider that these complaints have either never had cause for existence or, at all events, have been redressed; but that as far as regards their advantages of pay, pensions, and allowances, the position of these officers is far better than it was before these changes took place.

The noble Earl has presented a petition to your Lordships ; but as the allegations contained in it are but the stereotyped complaints which have been promulgated in the various manifestoes issued by the very energetic Committee of officers sitting in London, I think it will be better that, instead of referring to individual cases, I should endeavour to meet the noble Earl upon the broader grounds he has himelf selected.

In order to do this with advantage, it is necessary that I should recall to the recollection of the House the circumstances out of which these changes have arisen. In 1857, as your Lordships are aware, occurred the greatest military convulsion of our century—the Indian mutiny. As soon as the crisis was past, and we again found ourselves masters of the situation, the first question which occurred to every one was, how can the repetition of so terrible a calamity be prevented ? With, I believe, the unanimous consent of every authority, whether in this country or in India, it was agreed that the very first precaution to be taken was the reduction and re-construction of the Sepoy army. A year later the annexation of the Empire of India to the Crown of Great Britain was determined upon, and then followed, as a necessary consequence of this event, the amalgamation of the European portion of the Company's army with that of Her Majesty. The Secretary of State for India, therefore, found himself charged with two of the most difficult operations which could well be imagined. I call them two operations because, although they were so closely connected and followed in such quick succession, the reduction and re-construction of the Native army and the amalgamation of the Indo-European army with the army of the Queen were entirely distinct events, and depending on different considerations—the one being a military necessity consequent upon the mutiny; the other a matter of political and administrative convenience. Now, all the grievances alleged by these officers have arisen out of the first of these operations — the reduction and re-construction of the Native army ; the amalgamation having been effected by the simple process of voluntary enlistment of the officers and men of the local European army into the Queen's service. For the purposes of the present discussion, therefore, it will be sufficient for us to confine our attention to the method by which the reduction and re-construction of the Native Sepoy army was brought about. Before the Indian mutiny commenced the troops of the Company consisted of about 165,000 Native soldiers ; but before the year had elapsed, and the mutiny had been suppressed, sixty-two out of seventy-four of the Bengal Native regiments had disappeared into space. The reduction of the rank and file of the Native army presented, therefore, no great difficulties. But the re-construction and the re-organization of the 135,000 men whom it was determined to retain was a more difficult and delicate task, inasmuch as all the officers of the disbanded regiments, though they were no longer available for regimental duty, still survived in their respective cadres, and in any scheme for the future it would be necessary to secure to them all the advantages of pay, pension, promotion, and allowances which they would have enjoyed if their regiments had remained intact. In fact, the task submitted to the ingenuity of Sir Charles Wood was not unlike the puzzle which requires you with only twelve beds at your disposal to accommodate thirteen

Nuns with a bed apiece. Though compelled by an imperious necessity to maintain only half of the army which formerly existed, the Secretary of State was expected to provide all the officers of that army, among whom no reduction had taken place, with the same advantages of pay and promotion as if no reduction had taken place. But the difficulties of the Secretary of State by no means ended here. Not only had he to take into account the prospects and interests of these officers, but he was also bound to consider, perhaps with even equal solicitude, the efficiency of his future army. Now, in the opinion of all military men in India, it had been always thought that the practice of detaching regimental officers for a lengthened period for Staff and civil employment had had a very bad effect. Under this system it was perfectly possible for an officer to spend almost the entire of his military career in civil and political employment. By many persons the singular want of authority and influence over their men exhibited by a great number of regimental officers at the first outbreak of the Indian mutiny, was entirely attributed to this circumstance; and even long before the mutiny broke out, one of the earliest improvements suggested by military men in India was the total abolition of this practice and the substitution of some other method by which the Government of India might supply itself with Staff officers, whom it might detach upon this description of service. Again, it was urged with almost equal persistence, by persons of very great authority in India and at home, that the regimental re-organization of the regular army should be entirely abandoned, and that the new regiments about to be reconstructed should be placed upon the same footing as those irregular regiments which had been doing us such excellent service at the very moment when the regular system was breaking down. I am well aware, from some observations which fell from a noble Earl not now present (the Earl of Ellenborough), that a difference of opinion may exist as to the policy of introducing the irregular system into the Indian army; but as the present discussion merely concerns the grievances of the Indian officers, and it is not a question as to how an army for India may be best constituted, I shall not attempt to go into that point, but shall content myself with citing such great authorities as Lord Clyde, Lord Elphinstone, Lord Dalhousie, and Sir John Lawrence, all of whom were in favour of the irregular system. I have mentioned these two circumstances in order to show how it came about that the establishment of a Staff Corps was an absolute necessity at this juncture, because it was only by dependence on such a Corps that it would be possible for the Indian Government to detach officers for civil and political employment, or to select officers who, owing to their peculiar attainments and ability, were proper persons to appoint to the irregular regiments about to be constructed. The institution of a Staff Corps, then, having become an absolute necessity, the next question which arose was as to how it should be recruited; for although at the time a sufficient supply of efficient officers might be obtained from the local corps, it was obvious that in the next generation the future strength of the Staff Corps must depend upon officers volunteering into its ranks from the Queen's army. But in order to induce officers of the Queen's army to volunteer into its ranks, and thus accept all the disadvantages of an Indian career, it became necessary to frame such regulations with regard to the pay, promotion, and the general status of officers in the Staff Corps as would render that Corps sufficiently attractive. Thus not only the establishment of a Staff Corps, but its internal economy, its pay, promotion, and general arrangements, having been dictated to the Secretary of State for India, by what I may call Imperial considerations, it only remained for him to revert to the position of those officers of the local army whom it was undesirable or impossible to transfer to the Staff Corps or the irregular regiments, and to consider what further arrangements would be necessary in order to reconcile their personal interests and future prospects with the exigencies of the public service for which he had thus provided. Your Lordships know what would have happened to such officers in England. They would have been placed on half-pay, as at the end of the war in 1815 were those officers who had fought in all the battles of Europe. But as it was desirable to retain the Indian officers in the enjoyment of all their former privileges, as regarded pay and promotion, it was determined to deal with them exactly as if they had been doing duty with their men. Having thus secured the two principal objects in view — namely, the reduction and re-construction of the Indian army, and the preservation of the status and advantages of the local army, Sir Charles Wood then proceeded to cope with those subordinate difficulties which still interfered with the working of his plan. Those subordinate difficulties arose out of two circumstances. The first was the fact that, half the regiments of the Sepoy army having been abolished, it would consequently be necessary to extinguish half the commands and emoluments which belonged to it, for it was perfectly impossible to expect that the Government of India should be compelled, or in any way bound, to continue to all eternity twice as many colonelcies as the necessities of the service required. But the only way in which a reduction of this kind under ordinary circumstances could be effected would be by neglecting to fill up the vacancies which from time to time might occur by the deaths of existing officers. But, inasmuch as this mode of procedure would at once stop promotion throughout the entire local army, Sir Charles Wood determined to buy out such a number of the old Indian officers as would enable him to extinguish not only the supernumerary colonelcies, but to give such an accelerated rate of promotion to the whole army, as would put the remaining officers on a better footing than before. Accordingly—and I ask particular attention to this point — no less a sum than £64,560 annually was devoted to this purpose in addition to pensions of upwards of £100,000 a year to which those officers would be, under any circumstances, entitled. About 300 officers availed themselves of this opportunity, of whom ninety-eight were lieutenant-colonels. By not promoting any in the room of the first half of this batch of lieutenant-colonels, but by giving promotion to forty-nine in the room of the second batch, and to 449 other officers, Sir Charles Wood was enabled not only to make the necessary reductions, but also to communicate such an accelerated rate of promotion to the entire army that whereas formerly it took forty-five years for any officer to become a colonel it would now take in all probability only thirty-nine; and whereas it used to take six years formerly for an officer to pass through the grade of major, he might now do so in two years and a half, or at most in three years. Yet, my Lords, one of the chief complaints of the Indian officers is, that Sir Charles Wood did not grant promotion in the room of the first half of the batch of lieutenant-colonels he had brought out for the express purpose of enabling him to effect a reduction! The next subordinate difficulty — for so it may be termed — in the application of the new regulations arose out of the circumstance that whereas in the Staff Corps promotion did not necessarily depend upon length of service, in the local army it still continued, as formerly, to be regulated by seniority and to depend upon casualties. Accordingly it sometimes happened that an officer transferred to the Staff Corps would obtain his promotion more rapidly than an officer who had been senior to him and who had remained in the regiment to which both belonged. That was, undoubtedly, very much to be deprecated and would amount to a practical grievance. But no sooner was this grievance brought to the notice of the Secretary of State than he at once issued a brevet, whereby he extended promotion to all the officers of the local army exactly upon the same terms as to the officers of the Staff Corps — namely, by the application of a similar scale to both. Well, as the noble Earl (the Earl of Donoughmore) has stated, that is one of the chief grievances which is alleged by the petitioners. Those officers complain that their rank being only brevet rank carries no pay with it, while the staff officers having substantive rank receive pay in consequence. The answer to that is that officers in the Staff Corps under the old system were always rewarded with special pay for special services; and although I am not a military man, yet I believe it is admitted by the profession at large that it would form no just ground of complaint on the part of some officers, if other officers, discharging other duties, were somewhat better situated in respect of pay than themselves. It should also be remembered that whereas the officers of the Staff Corps receive no batta the officers of the local army receive full batta. By that means, therefore, the inequality complained of is to a considerable degree redressed. The noble Earl has spoken of the parable of the sower; perhaps a closer analogy is to be found in the parable of the labourers who complained that they received no more than the penny for which they had engaged to serve. Such, my Lords, are the principal features of the changes which have been introduced into the military organization of the Indian army by the Secretary of State.

But, perhaps, it would be well that I should communicate to the House the mode in which these changes have operated on the officers with respect to whom they have been devised. The old Indian army consisted of about 4,000 officers, of whom 1,300 volunteered into Her Majesty's army, another 1,300 volunteered into the Staff Corps, and are enjoying all the advantages of that Corps. Some 300 are actually employed in Staff employment, and, therefore, have no reason to complain ; and 300 have retired on a bonus greatly exceeding that to which they would otherwise have been entitled. Of the whole 4,000, therefore, 3,200 have been provided for in a manner which, so to speak, has been selected by themselves. Then there are 450 officers still in the Madras army—because I should mention that no change whatever has been introduced into that army, and therefore its officers can have no cause of complaint. Consequently there remain only 375 officers of the local army unemployed, who though unavailable for regimental duties, are still retained on the cadres of their respective regiments, and receive pay and promotion under the favourable circumstances which I have mentioned.

I should have been very glad to have here concluded my statement ; but, in order that the noble Earl may not accuse me of any want of respect to the persons whom he represents, I will venture to say a few words on the subject of the petitions which the noble Earl has presented. I might certainly have declined to do so, for the simple reason that the principal grievances alleged in the petitions presented by the noble Earl have been submitted to the consideration of the Commission, of which Lord Ellenborough was a member, and have been pronounced to be unfounded. The first of those grievances consisted in this, that Sir Charles Wood has retained on the cadres of their respective regiments, the names of those officers who have been transferred to the Staff Corps. Well, I have explained how it was in order to benefit the officers of the old local army that two armies have been permitted to co-exist in India, the one upon paper— the old Sepoy army, with 165 regiments and its corresponding number of officers and no men, and the other the actual army, consisting of the new irregular regiments and the Staff Corps. I have also endeavoured to explain that the only reason why that paper army is retained is in order that we may be able to extend to the officers enrolled in it all the privileges to which they would be entitled had the whole rank and file of their regiments remained in existence. I venture to ask how these officers can complain of the system that has been adopted ? If your Lordships examine the system which these officers wish to substitute, you will find that if it were adopted, it would give rise to a far greater amount of injustice and supersession than that of which they so bitterly complain. Take the case of two regiments. It would be quite possible (and, indeed, it has occurred) that in one of these regiments half-a-dozen senior officers should be transferred to the Staff Corps, while in the regiment next to it, not one should be transferred. If the Government had adopted the suggestion that has been made, and had promoted the junior officers to the vacancies thus created, when the time came for them to take their line step they would have altogether superseded the greater portion of the officers of the other regiments, many of whom had, perhaps, entered the service of the Company before these last officers were born. Moreover, if you turn to the precedents of the East India Company, you will discover that in an analogous case, after the Cabul disaster, when certain regiments had lost the greater number of their officers, the Company, in order to retard the promotion of junior officers, actually interpolated officers from other regiments over their heads. Surely, if the East India Company were justified in taking so extreme a measure, no blame can attach to the Secretary of State for India if, for the purpose of fairly regulating promotion throughout the entire army, he should retain upon the regiments the names of officers who have been transferred to the Staff Corps. Another point is that under the old system there was no Staff Corps, yet from most of the regiments a great number of officers were invariably detached on Staff employment. Their names were borne on the strength of their regiments, and they as effectually stopped promotion in their regiments as if the present Staff Corps had then existed. Another grievance alleged by the noble Earl is in regard to the bonus fund. It was the habit in many of the Indian regiments, although not in all, for the junior officers of the regiment, when promotion appeared to languish, to stimulate the retirement of the senior officers by endeavouring to make up a purse for them, for the sake of the promotion which would thereby ensue. But promotion in the Staff Corps now depends not upon casualties but on length of service, and it is no longer an object for officers of the Staff Corps to subscribe to these bonus funds. The consequence is that the value of the bonus funds have diminished, and by a kind of reflex argument the Secretary of State for India is blamed for this result, as having been the framer of the Staff Corps. It should, however, be remembered that these bonus transactions were entirely of a private nature, and they have been pronounced in the most specific terms to be totally illegal by our courts of law. The practice has never been recognized by the military authorities, although it has undoubtedly been winked at. Moreover, every time a young officer put his hand in his pocket and contributed to a bonus fund he obtained value for what he had given in the shape of promotion, and nothing could be more unfair than to call upon the taxpayer of India to make up the loss incurred on these irregular speculations. It is, I can assure your Lordships, a most difficult and ungracious task which I have had to perform, because nothing can be said in support of the debt of gratitude that we owe these Indian officers that I do not agree with. But as I am convinced that, on the whole, the balance of advantage in the late changes in the organization of the Indian army has resulted to a considerable extent in favour of the officers, no other course was open to me but that which I have adopted. I will conclude by reminding your Lordships that the advantages accruing to officers of the local army under Sir Charles Wood's regulations may be briefly stated in the following terms:—In the first place there has been granted to them, in addition to everything they previously possessed, an annual addition of a quarter of a million of money. Secondly, in consequence of a grant of £64,650 a year, forty-nine officers whose promotion would otherwise have depended on casualties have received immediate promotion to the rank of lieutenant-colonel; while 400 other officers—majors, captains, and lieutenants, have received corresponding advancement. Thirdly, a lieutenant-colonelcy will probably now be reached in thirty instead of thirty-four years, and a colonelcy in thirty-nine instead of forty-five years, while the grade of major will probably be passed through in half its former time. As it is the intention of the Government to recommend the issuing of a Royal Commission to inquire how far the recommendations of the former Commission have been carried into effect, it would be only a waste of your Lordships' time to trespass further on your attention.

LORD LYVEDEN said, that whatever other complaints the officers of the Indian army might have they could make none in regard to the tone and temper in which his noble Friend (Lord Dufferin) had treated this question. He believed, however, that the object of this Motion was rather to elicit opinion than to bring about a determination; and, therefore, having been somewhat versed in Indian affairs, and paid considerable attention to this subject, he would venture to say a few words. He thought his noble Friend had made an excellent official technical speech, and if he were called upon to decide judicially his noble Friend's speech might influence his judgment. But this was not a question to be disposed of in that spirit. His (Lord Lyveden's) opinion was that the Indian officers, if they had not been illegally dealt with, had certainly been treated ungenerously and shabbily. No one had a right to complain if an act of public policy interfered with his private interests; but the greatest politicians had laid it down that no private injury should be inflicted, if possible, by any alteration in administrative or Executive policy. The spirit in which these officers ought to have been dealt with was one of the utmost liberality, and in this respect he thought that his right hon. Friend (Sir Charles Wood) had failed. From the beginning of the change their position had been one of irritation, doubt, and annoyance. The whole question seemed to him to have been materially mismanaged. In the transfer of the Company's army to the Crown another mutiny had nearly occurred, but luckily it had been stopped in time, although by concession. Then came the transfer of the officers, and the greatest care should have been taken that they were in no degree dissatisfied. In that respect, also, his right hon. Friend had failed. His noble Friend (Lord Dufferin) had alluded to the old puzzle, how an innkeeper was to provide for thirteen guests in twelve beds. But he should have finished the story. When the person to whom the question was put said, "I give it up!" the answer was, "So did he!" And so did Sir Charles Wood. His right hon. Friend granted a Commission to inquire into the grievances of the Indian officers. That Commission having reported, it was understood, that to the recommendations of that Report Sir Charles Wood would agree. The right hon. Gentleman, however, did not agree with more than two out of the five recommendations of the Commission. At the head of the Commission his right hon. Friend placed an eminent lawyer (Lord Cranworth), which certainly looked as if he meant to act legally and to confine himself within the four corners of the Act of Parliament. But the Commission, going in their Report beyond what his right hon. Friend anticipated, he did not comply with their recommendations; which he ventured to think was a grievous error. Let their Lordships for a moment consider the position of these gentlemen. They had no right to object to amalgamation, although they might have been vastly degraded by it. But what was their position before? It might be said that the position of the Company's officers was inferior always to that of the officers in Her Majesty's army. They had, however, a position of their own, and the East India Company had been at hand to protect them and see that they obtained justice. Although a separate service, accordingly, they served with an honour and prestige of emolulents of their own fully compensating for any relative inferiority. Now that the East India Company was gone they entertained no fear whatever of His Royal Highness the Duke of Cambridge, who, when speaking of them in that House, paid the highest tribute to their good qualities, though, he added, that it was more than human to expect that they would not be jealous of the officers of the Line. They were not afraid of the illustrious Duke, but they did feel very uneasy with regard to that mysterious monster the Horse Guards, which, though it could never be embodied in human shape, was an influence so real that he himself had great difficulty in overcoming it in 1856. For instance, in reference to a particular appointment, Lord Hardinge, when Commander-in-Chief, who had been Governor General in India, and discharged the duties of that position in an admirable manner, showed himself determined not to appoint to it any officer belonging to the East India Company's service; and he was obliged to bring the whole force of the Cabinet to bear before he could get Sir Patrick Grant appointed to military command in the Presidency, merely because he happened to be in the Indian service; and yet Sir Patrick Grant had since that time officiated for a while as Commander-in-Chief of all the troops in India. Again, with regard to the bonus fund, no doubt it was true that there had been a decision adverse to it in a Court of Law; but there had been repeated decisions of the East India Company not only recognizing but favouring it, which had of course also been sanctioned by the Board of Control. The older Indian officers had looked forward to it as a means of relief for their age; the younger officers as a means of promotion. It was, therefore, natural that they should feel injured by its withdrawal, and that high-minded men, dealing with a public Office on the faith of what they regarded as established usage, should be anything but satisfied at learning that on the authority of Chief Justice Somebody, of whom they had never heard, this fund was suddenly abolished. Their grievance might not be one which a Court of Law could recognize, but it was peculiarly one for the High Court of Parliament to entertain. In the course which he had adopted on this point his right hon. Friend the Secretary of State, he thought, had acted amiss, and a liberal course, he was persuaded, would have been the most judicious. Every officer of course knew that he was liable to be reduced; but what officer of the Indian army, he would ask, ever expected to be transferred to the Queen's army? He entreated his right hon. Friend to re-consider his determination. The question of a Staff Corps, no doubt, was one of policy, but it had materially injured many officers in their prospects, and he never could understand upon what principle the names of men who had been transferred to the Staff Corps were retained on the rolls of their own regiments to stop promotion. The question might be argued as a question of finance, but there was something in the subject beyond a mere question of money. The Government and the House should remember the consequences that might follow from dissatisfaction in India. Men who had acted with the spirit and devotion which these troops had shown in time of trial were not likely to break out in revolt; but dissatisfaction, nevertheless, was a dangerous frame of mind for men to be in—if need arose for their services they could never fight with the same spirit. They had no right to treat men who had gone through the Indian mutiny like common petitioners.

There was nothing on earth to be alleged against them. Their doubts, and the doubts of reasonable men in this country, ought therefore to have been satisfied, and they should have been dealt with in a just, and even a generous spirit. To appoint Commission after Commission was an irritating course, for it led to nothing and suspended the claims meanwhile. He strongly recommended his right hon. Friend to carry out the recommendations made by the last Commission, even if he did not go beyond them, and deal with these officers in that spirit of generosity with which the people of England desire to see them treated.

LORD CRANWORTH said, their Lordships might, perhaps, wonder that one whose career in life had been so different from those of the gentlemen whose case was now under consideration should venture to address them ; but his right hon. Friend having pressed him in 1863 to join the Commission which was to inquire whether the Parliamentary guarantee had or had not been complied with, he consented, and became Chairman of that Commission. In opposition to what had been suggested he must aver that he never met a set of men more anxious to look fairly at the case before them, with a view to remedy any grievance which might be shown to exist, than the Members of that Commission. His noble Friend thought they took a wrong course in not obtaining the complaints directly from the officers.

THE EARL OF DONOUGHMORE : In not permitting the officers to see the documents after they had been in the hands of the Secretary of State.

LORD CRANWORTH said, the proceeding adopted was to submit the statements of the Indian officers to the Secretary of State, who made his observations upon them. It was the unanimous opinion of all the military men of that Commission —an opinion in which Lord Ellenborough concurred—that the communication from the Secretary of State ought not to be submitted to the officers, without the sanction of the Secretary of State previously obtained. The Secretary of State did not feel himself warranted in giving that sanction ; and he (Lord Cranworth) was bound to add that all the military members of that Commission thought he was perfectly right. But, in order to prevent the possibility of prejudice being done to the Indian officers' case by such a refusal, the substance of everything contained in the observations of the Secretary of State was forwarded in the shape of questions to these officers; and if the noble Earl would look to the Appendix to the Report he would have the opportunity of seeing how full and ample was the information thus given to those officers, and how completely it exhausted all the topics contained in the paper of the Secretary of State. They had, of course, first of all to determine what to investigate. The Act of Parliament contained what he could not but regard as a most unfortunate clause to insert in any Act of Parliament. After stating that the military and naval officers of the East India Company were to transfer their services to Her Majesty, the clause provided that they

> "Should be entitled to the like pay, pension, allowances and privileges, and the like advantages as regards promotion and otherwise, as if they had continued in the service of the Company."

Now, he could understand an Act of Parliament when it stated that a man was entitled to the same rights as he previously enjoyed if he really possessed any ; but when that man possessed none whatever previously he must confess that he found it more difficult to comprehend. The Commissioners felt that they ought to interpret the clause liberally, and to suppose that the Legislature intended to say that the Crown should deal with those officers in the same way they believed the East India Company would have done if these changes had been made in their time. Her Majesty's Government had undertaken a most difficult problem, independent of the difficulty which attended the interpretation of this Act of Parliament, because they proposed uniting into one army, to be governed upon the same principle, two armies hitherto regulated on principles entirely different. The question, then, was, whether the Government, in the changes which they had made, had acted in the same manner as it might reasonably be supposed the East India Company would have acted if these changes had been undertaken by them. The first great change was the establishment of the Staff Corps. The rule of the Indian service was that promotion should be made by seniority, and any officer going from one regiment to another would give a step of promotion to the officers of the regiment which he had quitted. Was that principle, then, to be retained when the new Staff Corps was constituted ? Up to that time the officers forming—not the Staff Corps, for there existed none—but discharging those duties which were subsequently performed by the officers appointed to the Staff Corps, remained officers of their regiment. He could not, therefore, see for what reason they should now be removed from the list of their regiments in order to give promotion to their brother officers. All the members of the Commission—English officers, Indian officers, and Lord Ellenborough who, as their Lordships knew, took a deep interest in everything connected with the Indian army—regarded such a proposition as extravagant, because in some cases half the officers of a regiment would be taken away, and in some instances a lieutenant would at once be promoted to be a colonel. The principle of the Staff Corps was not in reality any novelty. It was true no such Corps had previously existed, but a number of officers had, previous to the formation of the Corps, been detached from their regiments and had performed the duties which were afterwards attached to the Staff Corps, and this fact had been stated to be a great grievance, and, in the opinion of many, had been one of the main causes which had led to the disastrous mutiny. The Commissioners, therefore, decided that of the conduct of the Government in this respect there could be nothing to complain. There was no inclination on the part of any member of that Commission to favour either the Government or the officers. The only thing of which the officers could at all complain was that when the Staff Corps was brigaded with the old regiments the Staff officers might have an unfair army rank. But that disadvantage had been compensated by the creation of the brevet. The opinion of all the members of the Commission was, that that grievance would be fairly met in this manner. Then with regard to the system of bonuses. Upon this subject the Act of Parliament said nothing at all. The Act simply stated that the army was to retain in its new organization the same privileges which it did under the old. All, therefore, that the officers could possibly expect was that the Government should be as passive upon the subject as the Company had been; but they certainly could not expect that sanction should be given to what had already been decided by the Court of Common Pleas to be an illegal transaction. Then, with regard to the retirement, he believed that about £60,000 was spent for the purpose of increasing the retiring allowances beyond the amount to which the officers retiring were entitled, and this was done in order that room might be made for others. It was then complained that the places of all those who retired were not immediately occupied by promotion. But it was preposterous to expect such a thing. It ought to be enough that by this plan promotion had been accelerated to an enormous degree. It had been a great benefit to the officers generally, and he believed that no officer in his petition had stated that, upon the whole, the service had not been enormously benefited by the changes which had been made. It no doubt was a misfortune that many officers were left with little or no employment. He could not understand how, now that the brevet had been created, any real grievance could be said to exist. He believed that the great difficulty had arisen from the insertion of so unfortunate a clause in the Act of Parliament.

LORD HOUGHTON said, he should not have spoken, but he felt that he must express his surprise at the intimation which they had received from the Government that it was their intention to propose a new Commission upon this subject. The speech, too, of the noble and learned Lord who had just sat down (Lord Cranworth) had also surprised him, because he should have imagined that the remarks of his noble and learned Friend would have assumed the form of an indignant protest against the neglect with which the Government had already treated the recommendations of three former Commissions; but those recommendations appeared to be abandoned by his noble and learned Friend with as much unconcern as they were treated by the Government. After the example which they had already witnessed, he could not see what reason induced his noble and learned Friend to believe that the recommendation of another Commission would receive any better treatment. He could not see what right they had to supersede the Commission on which his noble and learned Friend had expatiated. It had been his fortune to go through a great deal of discussion on this matter in another place. His right hon. Friend the Secretary of State for India had been pressed with every argument, the subject had been urged on him strongly and ably; but in defiance of the opinion of Lord Canning—in defiance of the opinion of Sir John Lawrence, of Lord Clyde, and almost every member of his Council, he insisted on amalgamation, accompanied with that enormous conditional promise. It seemed not an act of a wise statesman to make so great a change, at the same time fettering so largely his own terms. He ought rather to have said, I see the difficulty of the case, and we cannot accomplish your wishes; I must subordinate private rights to a great public policy. What was the language of Sir James Outram on this subject? He said—

> "I have stated that the proposed amalgamation would inflict grievous and unmerited injuries on the 6,000 gentlemen who now officer the local army, and a little consideration will prove that I am right. These men entered the service on the implied understanding that they would succeed in order of seniority to regimental 'off reckonings,' in periods ranging, according to individual good or ill luck, from thirty to forty-five years of service. Will faith be kept with them in this respect? Can faith be kept with them in this respect under they proposed amalgamation plan? The entered the service on an implied guarantee that they should never be superseded in regimental or line promotion, either by the introduction of the purchase system, or by irregular promotion, based on the principle of selection. Can faith possibly be kept with them in this respect under the proposed amalgamation plan? All in the service have been allowed authoritatively to make arrangements for purchasing out their seniors, and these arrangements, and the retiring funds which have been established in consequence, cannot justly be interfered with. Relying on this understanding, they have regularly subscribed to funds the object of which is to accelerate promotion by providing bonuses out of the common purse to officers willing to retire; and they have done so in the confident hope that when ill health or other considerations should lead to their own retirement, they would, as a matter of course, receive bonuses equal in amount to those paid to their predecessors. Will the regulations and whole machinery of the line be altered to meet the equitable claims of these men? or will their funds be broken up, and all the prospective advantage for which they have monthly made pecuniary sacrifices be absolutely denied them?"

They had committed the great injustice which Sir James Outram said would be committed, and they had done this in the teeth of their Parliamentary guarantee that there should be no change in the position of these officers. He feared that what had been done had been done at the expense of the honour of the State, and that the difficulties arising out of amalgamation would accumulate rather than diminish. The question of doing justice to these officers was not one of legal rights but of the honour of the country. It was not because the pecuniary sacrifices would be great that justice should be denied these officers, who had been solemnly told when amalgamation was in contemplation, that their position should in no way be invalidated. Promises had been made to these officers at the end of a great Indian war, and the honour of the country was pledged to their fulfilment.

THE DUKE OF ARGYLL said, he did not rise to argue with his noble Friend the question of the policy of amalgamation. That question had been settled by Parliament, and he believed not only necessarily but wisely settled. But he rose to explain one point which, at the outset of his observations, his noble Friend (Lord Houghton) had viewed with some astonishment and marked with some censure—he meant the appointment of a new Commission. The last Commission had been appointed to consider the whole scope of these complaints, and the Report contained five principal recommendations. It was the opinion of his right hon. Friend the Secretary of State for India, and of the Government, that three of those recommendations were fully and completely met; and with regard to the two others, although not complied with, liberal and ample compensation had been given, and that, on the whole, the grievances had been fairly met. The new Commission had not been appointed to inquire into the whole scope of the complaints, which re-opened the whole ground, but into the narrow question whether Government had or had not complied with the specific recommendations of the former Commission. That was a very different thing. He could not help thinking that his noble Friend behind had never read the Report of the Commission, for he had laid great stress on grievances which had been condemned by the Commission, and he particularly referred to the great grievance of the Staff Corps and its effect on promotion; while the Commission had completely dismissed that as a grievance which it was impossible to maintain. The noble Earl (the Earl of Donoughmore) who introduced this subject had done so very candidly—indeed, he seemed to justify what had often been said of the complaints of Indian officers, but was always denied by them until the admission of the noble Earl, that their construction of the Parliamentary guarantee was that they were to remain absolutely *in statu quo*, and that there could be no reform of the Indian army because it might affect them. He distinctly said that the creation of a Staff Corps was incompatible with the fulfilment of the Parliamentary guarantee. Now, that amounted to a declaration that the reform of the Indian army, pointed at by officer after officer, by Governor General after Governor General, by men of all possible opinions on the question of amalgamation, was incompatible with the Parliamentary guarantee. Surely that was a *reductio ad absurdum.* Such a measure had been recommended by those who had no idea of amalgamation. In 1855-6 some essays were published in the *Calcutta Review,* at first anonymously, but afterwards admitted to be by Sir Henry Lawrence, in which the writer, referring to the condition of the Indian army, said that promotion by seniority was a source of most grievous complaint and discontent, and that the efficiency of the service was most seriously impaired by it. He did not mean to dispute the immense services rendered by that army. He spoke of it in no terms of disparagement; but when dealing with complaints which implied that the former condition of that army was satisfactory he was bound to state what were the real facts of the case. He had here an extract of one of the essays of Sir Henry Lawrence on Military Reform which had been collected and re-published, and which would be read with the greatest interest; and let their Lordships hear to what condition the Indian army had been reduced by the seniority system, and then say whether, had there been no amalgamation and no transfer from the Company to the Crown, it would not have been competent for the Indian Government to put an end to that system and insist on a reform of the army. Sir Henry Lawrence says—

> "There must be a bar against the command of regiments being the reward of thirty or forty years of incompetence. We wait till the sense and strength that officers have been endowed with has evaporated before they are employed in command. Some officers now in command, to the injury of the service, were good men and true twenty years ago; others were never fit for a corporal's command, and only in a seniority service could have escaped from the subaltern ranks. The irregular system has been brought into fashion because it is found 'that three selected and comparatively young officers are preferable to a dozen or sixteen haphazard ones, commanded by such men as are generally found at the head of regiments of the line.'"

Sir Henry Lawrence further said—

> "In no army are higher qualifications required. Is it good that one single officer should be a laughing-stock to his men? They are nearly fifty to one of us."

That is the language of one of the most distinguished and illustrious of the Company's servants. He goes on to say—

> "There are men now commanding regiments known to have greatly injured, if not ruined, more than one corps, and working hard to destroy the credit of their present corps. We have heard the new commander-in-chief of the Madras army regret the necessity of putting such men in command. It has been a custom rather than an obligation, and the sooner it is abrogated the better for the Indian army."

What does Sir Henry Lawrence say in regard to the remedy he would propose for these evils? His remedy is that very measure which the noble Earl opposite states is absolutely incompatible with the Parliamentary guarantee. Sir Henry Lawrence says—

> "Some system must be devised by having the whole army in one general list. There must be a Staff Corps; whatever may be its inconveniences, they will be less than those that now obtain."

He (the Duke of Argyll) was astonished to hear his noble Friend behind him (Lord Lyveden) quote Lord Clyde as an opponent of the amalgamation, because Lord Clyde had been a warm advocate both of that measure and the formation of the Staff Corps. True, Sir James Outram and Lord Canning were against the amalgamation; but it was a reform naturally connected with the transfer of the government from the Company to the Crown, and it was pointed out by almost all the great authorities upon Indian affairs. Sir Henry Lawrence, however, went on to observe—

> "Let these vital questions be settled. Respect as far as possible present incumbents, by giving them time to meet examinations, &c. But at any cost rid the service of notorious incompetence and prevent incapables from obtaining command. To the cry of 'vested interests,' &c., we answer that able and energetic men are most likely to enter a service that encourages ability and energy."

As regarded the contentment of the Indian army, noble Lords talked as if all the discontent which had arisen was due to the measures of Sir Charles Wood and the amalgamation. But it was nothing of the kind. Discontent largely prevailed in the Indian army before the mutiny, and it was not too much to say that that army had been a hotbed of discontent. It had precisely the same grievances in an aggravated form of which complaint was now made in these petitions. There was the same complaint of the disparity between the case of the officer who remained on the active service of his regiment and that of the officer who was employed on the Staff. Let their Lordships hear what Sir Henry Lawrence said—

> "When commands are open to them after fifteen or twenty years, instead of after thirty or thirty-five, there would be more contentment in the regimental ranks. In proof of the present prevailing spirit we annex *verbatim* an ex-

tract from a recently received letter from an officer of ability who has done good service to the State, and who obtained command of his regiment after about twenty-five years' service:— 'As to the service, I have long since ceased to take any interest in it; for, however hard I may work, or however much I may know or do, I find myself not one bit better off than the fool who knows and does nothing. Therefore, beyond doing exactly as I am told, I do nothing.' The above is the honest opinion of an able officer who has been more than usually fortunate."

These extracts showed that the previous state of the Indian army was one that absolutely demanded reform; and he maintained that the remedy pointed out by all the competent authorities in India was the formation of a Staff Corps, to which officers of the Queen's army should be eligible as well as the officers of the Company's army. Such a measure must be contemplated as having been as much within the competence of the Government of the Crown as of the Government of the Company, although the arguments urged on behalf of the petitioners seemed to imply that they had a Parliamentary guarantee against all reform, and a vested interest in the continuance of every abuse.

THE EARL OF DONOUGHMORE, in reply, said, that notwithstanding the explanation of the noble Lord (Lord Dufferin) and the noble Duke, he must adhere to the opinion he had expressed as to the incompatibility of the Staff Corps with the guarantee. The grievance of these officers was not met by the extension of brevet rank, because they did not receive the increased pay to which they held themselves entitled. The speech of the noble Duke was devoted to a defence of the conduct of the Government; and he must say he did not think it was quite fair to bring forward, as the noble Duke had done, passages from an article originally published anonymously, but now said to have been written by the late Sir Henry Lawrence. They were probably written by Sir Henry, but they could not be said to have the same authority as they would have been entitled to had they been written avowedly in his own name. He had not been able to gather what the intentions of the Government were in this matter. They had not acted upon the Report of the previous Commission, and they gave no pledge that they would act upon the opinions of the second Commission which they proposed to appoint.

EARL DE GREY AND RIPON said, the statement had been repeatedly made in the course of the debate that the Secretary of State for India had taken no steps to remedy the grievances of these officers; and the noble Earl opposite (the Earl of Donoughmore) held that there were five points in respect to which the Commissioners laid it down that the guarantee had not been fulfilled. Now, on two of those points the Commissioners did not pronounce a positive opinion. On the contrary, they said that the operation of the measures taken might in certain cases produce consequences which might be inconsistent with the guarantee, but they did not state that those consequences had actually occurred; and all that his right hon. Friend had done was to wait and see what might be the effect of the measures in regard to those points. The noble Earl admitted that his right hon. Friend had remedied the grievance which the Commissioners found to exist with respect to two other points, and with regard to the supersession of officers, he said that though the question of supersession had been got rid of, no redress had been given as to pay. The grievance, however, was a grievance as to supersession. The point in respect to which the Commission held that the guarantee had not been fulfilled was the point of supersession and of rank; but that had been met by the rank which his right hon. Friend had proposed to give. And as to pay, he (Earl De Grey) denied that there was any real grievance. The officers who remained were in an equally good position, and those who were on the Staff were better off. Therefore, he maintained that with regard to the three points on which the Commission spoke positively, his right hon. Friend had provided a remedy; and with respect to the two points on which the Commission spoke doubtfully, his right hon. Friend only withheld his opinion for the present; but in deference to the views entertained in another place on a late occasion, it was the intention of the Government to appoint a Commission to investigate whether the grievances pointed out by the Commission had or had not been removed.

BELLIGERENT RIGHTS.

QUESTION.

LORD HOUGHTON said, that it was now just four years since the Government, by Order in Council, recognized as belligerents the so-called Confederate States of America, and he now rose for the purpose of asking the noble Earl the Secretary for Foreign Affairs the Question of which he had given notice — namely, Whether it is the intention of Her Majesty's Government, after the events which have lately occurred in the United States of North America, to withdraw the Admission of Belligerent Rights conceded to the so-called Confederate States? It would seem that such withdrawal would necessarily follow from the conclusion of the calamitous war in America; but he was bound to add that he was afraid that they could not technically say that the war in America was at an end, for he held in his hand an important opinion of the Attorney General of the United States, given about three weeks ago, to the effect that the capitulation between General Grant and General Lee determined that the Southern States were still to be regarded as belligerent; and the Supreme Court of the United States had lately pronounced an opinion to the same effect. Under these circumstances, if the war was one entirely carried on by land it would be difficult for England to withdraw the recognition of the Southern States as belligerents. But he was now regarding the matter as one affecting this country as a naval Power solely. It was only as a naval Power that we had occasion to act at all in the matter. He inferred that the concession of belligerent rights to the South by this country was supposed to follow necessarily from the blockade of the South by the North; because when a Government wished to prevent the ships of a neutral Power from approaching its ports, and at the same time did not wish that any belligerent rights should grow out of that act, it simply closed its ports and did not establish a blockade. It appeared to him that though this blockade had not been formally raised, yet, those ports having been closed by the supreme authority of the United States, that authority re-asserted its full power there. It was the question of the ports and of the sea which had led us to consider the question of the belligerent rights; and therefore he should be glad if the Foreign Secretary were able to say that, now the ports were closed by supreme authority, the Government of the United States having recovered its power over that territory, and now that we might entertain a hope of peace, there would be no difficulty whatever in cancelling the Order in Council by which the so-called Confederate States were declared belligerents.

Earl RUSSELL: My Lords, I very much regret two circumstances connected with this question; the one being the terms in which my noble Friend has placed his question upon the paper of the House, and the other the particular time at which he has thought fit to ask it. With regard to the first, my noble Friend asks "whether it is the intention of the Government, after the events which have lately occurred in the United States of North America, to withdraw the admission of belligerent rights conceded to the so-called Confederate States." Now, it was not a question of concession at all. It was a simple question of fact. If peace exists throughout the United States of America, the Government of the United States will, by treaty and by the natural effect of the law of nations, allow our merchant ships to go into their ports and there trade. If, on the contrary, a state of war exists, in that case they will blockade the ports and exercise belligerent rights. Now, what were the facts here? When a war is going on between two separate nations, as a few years ago was the case between Austria on the one hand and France and Italy on the other, both the belligerents assert belligerent rights, and her Majesty properly issues thereupon a proclamation of neutrality. But, instead of a war there may be an insurrection. That is always a matter of more doubt. That insurrection may be a trivial one, and carried on entirely in the interior of the country; or it may be of such vast extent as to amount really to a war. Now, that question might have been a difficult one for us to decide; but the United States Government really decided it when the President of the United States on the 19th of April, 1861, issued a proclamation, by which he declared that all the ports of seven States of the Union should be blockaded, and thereby put the United States in possession of belligerent rights. When the President of the United States did that, he left her Majesty's Government but two courses to pursue—either to acknowledge the blockade and thus to acknowledge a state of war, or to decide that the blockade should not be acknowledged, and that Her Majesty's Government would not concede belligerent rights to the United States—which would have of course have led to war between this country and the United States. The first was the course pursued. But in pursuing that course it was impossible we should say that there was war, and yet that there was no Power with which war was carried on by the United States. There cannot be a war which is carried on by one party only. In point of fact, as we all know, there was a war between a body of persons calling themselves the Confederate States of America on the one hand, and the President of the United States on the other. From the moment, then, that we acknowledge this blockade of Southern ports by the President of the United States, it was not we who conceded belligerent rights—it was the President of the United States who declared himself in possession of belligerent rights, who declared himself possessed of the right to carry on war, which is only the English for belligerent rights, and thereby obliged us to come to a decision one way or the other. Had it been otherwise, the President of the United States could not have ordered the navy of the United States to stop ships of this country on the high seas. No Power has contended more strenuously than the United States that there can be no right of search extending over vessels on the high seas in time of peace. But that is the power which the United States have exercised; that is the right which Her Majesty acknowledged. Her Majesty did not concede belligerent rights, but recognized the state of facts which the President of the United States himself declared, and followed this by a proclamation of neutrality in the war which was then being carried on. That war, as my noble Friend stated, has been carried on during four years; and I now come to my second objection to the question of my noble Friend—namely, that he has asked it at a most unfortunate time, because it is very difficult to say exactly what the state of affairs is at the present moment. My noble Friend himself evidently does not know the state of facts, because he says that, instead of blockading the ports, the Pesident of the United States has closed the ports. The opinion of Her Majesty's Law Officers is that the Government of the United States may lawfully close the ports which are in possession of the United States authorities, and that within the waters of the United States, within three miles of the shore, they may forbid any neutral merchantman from entering those ports. But the authority of the United States does not extend to the port of Galveston—the whole of Texas has been for some time in the posssession of the Confederates. So far as we know by the latest accounts we have received, the port of Galveston is still in the possession of the Confederates. With regard, therefore, to that port, the power exercised by the United States must be the power of blockade, and not the power of closing the ports. Then comes the other question—namely, whether the United States still continue to maintain the right of search over the merchant vessels of neutral Powers upon the high seas. The United States authorities, during the last four years, have exercised belligerent rights in that respect, and have exercised them with very great severity. I do not know any case in which the right of search, of capture of vessels, and imprisonment of crews has been exercised with greater severity by a belligerent than it has been exercised by the United States—perhaps not with as great severity. As to the question of what we are about to do, and whether this belligerent right on the part of the United States is to continue or not, it will be impossible for Her Majesty to consent that vessels belonging to British subjects, and bearing the British flag, should be searched upon the high seas, and at the same time that we should admit that no war is going on. It is impossible that we should allow the United States to exercise a belligerent right, and at the same time allow that a state of complete peace exists, and that everything else is to go on as usual with regard to the United States. My noble Friend knows that one of the earliest international text-books is a work *De Jure Belli et Pacis.* There is the *jus belli,* and there is also the *jus pacis.* They are two distinct things, and you cannot have both existing together. We are anxious to ascertain, and we have asked the Government of the United States, what is the present state of the case. A little while ago the United States Government—perhaps with a view to the withdrawal of belligerent rights to the Confederates—proposed that Federal ships of war should be allowed to enter Her Majesty's ports without restriction. We have answered that, with regard to the requisition that a vessel of war should leave Her Majesty's ports either in the colonies or the United Kingdom within twenty-four hours, it was not necessary to keep up that restriction; but, before anything further was determined with regard to Confederate vessels of war, we wished to know whether the United States intend to maintain and exercise their belligerent rights or whether they give up altogether the right of searching and examining, of detaining and capturing British merchant vessels on the high seas. Until that question is answered I do not feel competent to give any answer to my noble Friend. We must first ascertain whether the United States is at war with any Power whatever. Let them retain the belligerent right if war continues; but if there is no war and if peace exists let them abandon that right. When I obtain an answer on this point from the Government of the United States I shall probably think it necessary to apply again to the Law Officers of the Crown; but meanwhile I do not know that I can give any better answer than has been given by the Spanish Government to the United States. The Spanish Government was asked by the United States to cease to allow belligerent rights to the Confederates; and their answer was that these belligerent rights were consequent upon the existing state of facts; that while war continued the Powers of Europe generally had agreed to acknowledge the belligerent rights of both parties; but that when the war ceased those rights would cease of themselves, and that it was not necessary to give any further answer. This is my reply to my noble Friend. I cannot give him any further answer for the present. We have reason to rejoice, and I do most sincerely rejoice, at the prospect of the termination of the war that has so long been going on, and I trust that we shall soon see the United States again in the enjoyment of peace and of the blessings that flow from it.

Lord HOUGHTON: Am I to understand that if by some act of the United States the war is declared to be at an end, the concession of belligerent rights to the so-called Confederate States will fall to the ground without any formal act of Her Majesty's Government?

Earl RUSSELL: All I can say is this, that when the case arises Her Majesty's Government will take the opinion of the Law Officers of the Crown upon it.

WAR DEPARTMENT TRAMWAY (DEVON) BILL [H.L.]

A Bill to enable Her Majesty's Secretary of State for the War Department to lay down and use a Tramway or temporary Railway across certain public Roads in the County of Devon—Was *presented* by The Earl De Grey; read 1ª; to be *printed;* and *referred* to the Examiners. (No. 104.)

House adjourned at a quarter past
Eight o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, May 15, 1865.

MINUTES.]—Supply—*considered in Committee —Resolutions* [May 12.] *reported.*

Public Bills — *Ordered* — County Infirmaries (Ireland).*

First Reading — Churches and Chapels Exemption (Scotland)* [147]; County Infirmaries (Ireland)* [148].

Second Reading — Salmon Fishery Act (1861) Amendment * [117]; Exchequer Bonds (£1,000,000)* [142]; Drainage and Improvement of Lands Acts (Ireland) Amendment * [125].

Referred to Select Committee — Salmon Fishery Act (1861) Amendment* [117]; Pilotage Order Confirmation (No. 2)* [131].

Committee — Union Chargeability [31] — R.P.; Game (Ireland) [42], *negatived;* Commissioners of Supply Meetings (Scotland (*re-comm.*)* [136] [Mr. Finlay]; County of Sussex* [138].

Report — Commissioners of Supply Meetings (Scotland) (*re-comm.*)* [136], [Mr. Finlay]; County of Sussex* [138].

Considered as amended — County Voters Registration* [135].

Third Reading—Customs and Inland Revenue* [129], and *passed;* Prisons (Scotland) Act Amendment* [91], and *passed;* Mortgage Debentures* [119], and *passed;* Locomotives on Roads [143], and *passed.*

Negatived—Game (Ireland)* [42]

IMPORTATION OF SALT INTO FRANCE QUESTION.

Mr. J. TOLLEMACHE said, he wished to ask the President of the Board of Trade, The cause of so long a delay in the settlement of the question as to the terms upon which English salt is to be admitted into France, under the reciprocity treaty between the two countries, and what is the present state of the negotiations thereon?

Mr. MILNER GIBSON said, in reply, that from the inquiries he had made he was led to believe that very shortly the salt duties in France would become the subject of legislation. There had been a lengthened investigation, which he believed had now terminated, and probably during the present Legislative Session in France a project of law would be prepared. Of course he knew nothing as to what the details of the measure would be, but it would be proposed with a view of reducing the present heavy duties on salt going into France.

IRELAND—DUBLIN AND HOLYHEAD STEAMERS.—QUESTION.

Sir FREDERICK HEYGATE said, he would beg to ask the President of the

Board of Trade, Whether his attention has been called to the fact that, on two occasions during the past two years, the main shaft of one of the Dublin and Holyhead Mail Steamers has broken, whereby the ship became unmanageable, and the passengers and crew exposed to considerable danger; and if any inspection of these ships and machinery has taken place in consequence?

MR. MILNER GIBSON, in reply, said, it was true that there had been the accident which the hon. Baronet had referred to, but an examination had since been made, and the vessel reported to be in a satisfactory condition.

THE REGISTRARSHIP OF THE COURT OF BANKRUPTCY, LEEDS.

QUESTION.

MR. FERRAND said, he rose to ask Mr. Attorney General, Whether it is true that Mr. Henry Sedgwick Wilde, when Registrar of the Court of Bankruptcy at Leeds, was called upon by one of the Bankruptcy officials, by authority, to resign his office, and that he refused to do so; whether Mr. Wilde was then informed that, if he would resign at once and obtain a medical certificate, he should have a pension of £600 a year, although he was then in a good state of health; whether he did obtain such medical certificate and resign, and was the pension so promised granted or sanctioned by the Lord Chancellor; was Mr. Wilde, on his resignation, succeeded by Mr. Welch, who was then in a precarious state of health; was it arranged that Mr. Welch should hold the office until the reversal of the outlawry of the Hon. Richard Bethell; and was Mr. Richard Bethell's appointment made out after his outlawry was reversed, and did he attend the Bankruptcy Court at Leeds on or about the 24th of February last, and state to officials that he was appointed Registrar?

MR. MURRAY said, he wished to ask in addition, Whether any petition was presented by Mr. Wilde to the Lord Chancellor explaining the causes which rendered his retirement necessary; and, if so, whether the truth of such explanation was verified by his affidavit.

THE ATTORNEY GENERAL: Sir, I will answer the series of questions put to me by the hon. Member for Devonport, including that just added by my hon. Friend opposite, which relate to the resignation by Mr. Wilde of the office of Registrar of the Leeds Court of Bankruptcy. The answer which I have to give is this:—Mr. Wilde was not called upon by any Bankruptcy official to resign, but he was called upon to answer certain complaints against him (of irregularities in his office, not, I believe, extending to personal defalcation) contained in a Report to the Lord Chancellor by Mr. Commissioner Ayrton. Mr. Wilde sent answers to these complaints, which answers were not deemed satisfactory. The Chief Registrar was informed that Mr. Wilde's state of health was such that he would be entitled to resign under the 33rd section of the Bankruptcy Act of 1861; and when he informed Mr. Wilde that his explanations were not deemed satisfactory, he suggested to him, from friendly motives, that if his state of health was in fact such as he (the Chief Registrar) heard it was, he would probably be permitted to retire in the usual manner. Upon this, Mr. Wilde sent to the Lord Chancellor a petition, which stated—

> "That your petitioner has for some time past been afflicted with a failure in his sight, and that the same has now become so serious that he is no longer able satisfactorily to perform the duties of his office, as appears by the certificate of Samuel Key, a Fellow of the Royal College of Surgeons, practising at Leeds, hereunto annexed, and is consequently desirous of retiring."

This petition was verified by the affidavit of Mr. Wilde, and Mr. Wilde was under these circumstances permitted to resign, and receive a pension of £600 per annum, under the section of the Bankruptcy Act. So much as to the resignation of Mr. Wilde. Then comes the question as to the appointment of Mr. Welch. The question was whether, when Mr. Welch succeeded Mr. Wilde, the first-named gentleman was in a precarious state of health, and was it arranged that Mr. Welch should hold the office until the reversal of the outlawry of the hon. Richard Bethell? The answer to these two questions is this: Mr. Wilde was succeeded by Mr. Welch. Mr. Welch had been some time before strongly recommended to the Lord Chancellor for an appointment of this kind by the late Attorney General, Sir William Atherton, Mr. Edward James, Q.C., Attorney General for the County Palatine of Lancaster, and other members of the Northern Circuit, to which he belonged, but his Lordship never saw him in his life, and never until now heard of his being in a precarious or bad state of health.

As to the alleged arrangement for benefiting the hon. Richard Bethell, the answer is that no such arrangement was ever made or proposed, or thought of; nor was there at the time of the appointment any outlawry. Mr. Welch's appointment is dated the 30th of July, 1864, and the outlawry was not until the 15th of December of the same year. Then comes the last question—whether, after the reversal of his outlawry, Mr. Richard Bethell attended the Leeds Court of Bankruptcy on or about the 4th of February, and stated to the officials there that he was appointed Registrar. The facts are these. Mr. Richard Bethell was never appointed a Registrar of the Court of Bankruptcy at Leeds. A vacancy had some time before Mr. Welch's appointment arisen in London by the resignation of Mr. Bethell himself, for reasons which made the Lord Chancellor consider that resignation necessary. The Lord Chancellor was afterwards pressed to transfer Mr. Welch to London, and to appoint Mr. Bethell to Leeds, but he positively refused to do so. If Mr. Bethell attended at the Bankruptcy Court at Leeds, as is alleged, or stated to the officials there that he was appointed a Registrar of the Leeds Court, it was altogether without the knowledge or sanction of the Lord Chancellor.

INDIAN CIVIL SERVICE EXAMINATIONS.

QUESTION.

Mr. TORRENS said, he would beg to ask the Secretary of State for India, When it is intended that the new Rule for open competitive examinations for the Civil Service in India, fixing the maximum limit of age at twenty-one years, is to have effect; and whether there will be any objection to postpone its operation until such a time that it cannot injuriously affect persons who have studied for the examinations under the belief that the old Rule, making the maximum limit twenty-two years, would not be altered; and to ask what publicity has been given to the new Rule; whether its publication by the Civil Service Commissioners or the Secretary of State has been confined to the note at the foot of the printed "Regulations for the Open Competition of 1865," or has it been published in the English, Irish, Scotch, Colonial, or Indian Official Gazettes, as well as in some of the London and provincial newspapers?

Sir CHARLES WOOD, in reply, said, the alterations would not come into effect until next year, and it would be impossible to postpone them beyond that period. The same course had been followed that had been adopted upon a former occasion, when a period of a year and a half had been allowed as adequate notice. The intended alteration had been published in *The Times* and other newspapers before Christmas, and had been extensively circulated in India.

BELLIGERENT RIGHTS OF THE CONFEDERATE STATES.

QUESTION.

Mr. J. WHITE said, he would beg to ask the First Lord of the Treasury, Whether the Government has determined to withdraw its recognition of the Belligerent Rights of the (so-called) Confederate States of America?

Viscount PALMERSTON: Sir, the course of the transactions with regard to the belligerent rights of the two parties was this. The President of the United States issued a Proclamation declaring a blockade of all the coasts and certain ports of Southern Confederacy, in accordance, as he said, with the Law of Nations. Now blockade, according to the Law of Nations, is a belligerent right which can only accrue to a State which is at war, and I need not say that if there is one belligerent there must be two at least, and therefore the fact of the President of the United States declaring that he established a blockade in accordance with the Law of Nations gave him all those rights which belong to a belligerent in declaring a blockade, the right of capture and condemnation, and the right of search in regard to neutral vessels. The British Government had only one of two courses to pursue—the first, to refuse to submit on the part of British vessels to those belligerent rights on the ground that there was no formal belligerent on the other side. That was not a course which was at all expedient to pursue; and, therefore, the only course left us was to acknowledge and submit to those belligerent rights; and that necessarily involved the recognition that the other party was also a belligerent. Whenever the Government of the United States shall declare that it ceases to exercise, with regard to neutrals, those rights of search, capture, and condemnation which belong to the belligerent, then, of course, the war will, as far as neutrals are concerned, cease, and necessarily there will need no further acknowledgment of belligerents on the one side or the other.

STAFF PROMOTION IN THE INDIAN ARMY.—QUESTION.

Mr. HEYGATE said, he would beg to ask the Secretary of State for India, Whether any Return has been furnished by the Madras Authorities in India showing the effect of the Staff Corps promotions on the Lieutenant Colonels of the local service in that Presidency; what has been the effect on these Lieutenant Colonels by the Brevet Promotions, which were to remedy the supersession caused by the Staff Corps Warrant; and if he will lay upon the table of the House copies of any representations from the Government of India, Madras, or Bombay, and from the Commanders-in-Chief of the Presidencies respecting Army arrangements ordered by the Secretary of State for India in 1861?

Sir CHARLES WOOD replied, that in consequence of an Address which was agreed to by the House the other day, the Government had recommended Her Majesty to appoint a Commission to inquire how far the complaints of the officers as to the grievances alleged to have been caused by the measures taken for the re-organization of the army in India had been remedied by the steps taken for that purpose. That Commission was not yet constituted, but arrangements were in progress for its constitution; and he thought it would be far better to leave the matter in the hands of that Commission.

CATTLE DISEASES PREVENTION BILL.

QUESTION.

Sir JERVOISE JERVOISE said, referring to the Second Report of the Commissioners of Her Majesty's Customs, 1858 (p. 14); to the Seventh Report, 1863 (p.p. 27 and 94); to the Eighth Report, (p. 26); to the Report of the Committee on the Cattle Diseases Prevention Bill, 1864; to the Report as to the Vaccination of Sheep, 1864; to the Report of the Medical Officer of the Privy Council, 1862 (Appendix IV.); and to the Letter of the Medical Officer of the Privy Council, April, 1865 (last eight lines), he would beg to ask the Vice President of the Committee of Council on Education, Whether Her Majesty's Government intend to institute any measure with a view to obviate the loss, inconvenience, and alarm attendant on conclusions, unsupported by demonstration, as to the so-called dangerous communicable disorders in man and beast?

Mr. H. A. BRUCE said, in reply, that as the Government did not admit the accuracy of the statements contained in the hon. Baronet's question, nor that the conclusions contained in the Report were unsupported by evidence, but, on the contrary, believed them to be based on the most ample and satisfactory evidence; they were not prepared to institute any such measure as the question of the hon. Baronet had indicated.

STAMP DUTIES ON MARRIAGE CERTIFICATES.—QUESTION.

Sir JAMES FERGUSSON said, he would beg to ask Mr. Chancellor of the Exchequer, Whether instructions have been recently given by the Board of Inland Revenue to exact a Stamp Duty of five shillings on marriages celebrated by clergymen in England or Scotland; and what has been the Revenue from that source in the years 1863 and 1864?

The CHANCELLOR of the EXCHEQUER said, in reply, that no instructions had been given by the Board of Inland Revenue on the subject, but an inquiry had been addressed to them to know whether in their judgment a duty of five shillings upon certificates of marriage signed with the name of the officiating clergyman was exigible or not. The reply was, that in their opinion it was beyond all doubt. That, he apprehended, was the state of the law, and beyond that neither he nor the Board of Inland Revenue had any knowledge whatever. The certificates of the performance of any other religious office were charged with a similar duty; but the case had been provided for by law, inasmuch as the duty on extracts from the marriage register, which answered the same purpose, was only liable to a duty of one shilling.

Sir JAMES FERGUSSON said, he wished to know, whether the solicitor to the Board of Inland Revenue had not intimated to the clergy of Scotland that this duty would be charged from henceforth, and whether it was not a fact that there had been no such practice for fifty years?

The CHANCELLOR of the EXCHEQUER said, he knew nothing about that, but undoubtedly if it became known to the Controller of the Inland Revenue in Scotland that a certain duty was exigible by law his duty would be immediately to see that it was charged.

DIETARY OF METROPOLITAN WORKHOUSES.—QUESTION.

Sir JOHN SHELLEY said, he wished to ask the President of the Poor Law Board, Whether he is prepared to suggest to the guardians of the several Poor Law Unions of the Metropolis the advisability of assimilating the dietary tables in the several Union Workhouses in the Metropolis?

Mr. C. P. VILLIERS: Sir, the dietaries in workhouses have been prepared by the guardians of the unions or parishes to which the workhouses belong. They are generally framed, according to the experience of the Board of Guardians, to suit the exigencies of their own union or parish. They are referred to the Poor Law Board, who require the opinion of the medical officer, as to the propriety and sufficiency of the dietary for the particular workhouse. They receive his Report, and comparing the dietary with certain principles and rules with which they have been supplied by a very eminent scientific authority, and with the result of their own experience, they either sanction the proposal or suggest alterations. It has not been the practice of the Board to compare dietaries of different unions together, as they have never sought to bring about any uniformity in this matter. But a communication from an experienced and able medical officer in the metropolis has been made to the Board a short time since, directing the attention of the Board to the diversities which prevail in the dietaries of the workhouses of the metropolis, and the Board propose to cause an investigation to be made upon the subject, with the view of ascertaining whether any action can be taken in the matter with a beneficial effect.

"THE TIMES" AND THE BUDGET. QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether, as the Chancellor of the Exchequer has exonerated the officers of the Civil Service from having divulged his intentions as to the Budget, on a late occasion, such information must not have been supplied from some higher source; and, if so, whether the noble Lord can afford any indication of the quarter from which that communication has proceeded?

Viscount PALMERSTON: In the first place, Sir, I must beg leave to disclaim all responsibility for any prophecies which newspapers may make. They live on the future as well as on the past and present, and it is their business to make guesses, which sometimes are right and sometimes wrong. When they are right they gain credit; when they are wrong people soon forget them. When the time came for my right hon. Friend to prepare and announce his Budget, the world at large was pretty nearly as well informed about it as any Member of the Cabinet. They knew pretty well what was the amount of the surplus from the papers which had been laid on the table and published. Natural sagacity must have led every man to believe that with regard to the Fire Insurance Duty the Government were bound to adopt the Resolution which the House of Commons had come to. It was pretty clear that in distributing the remaining part of the surplus some would go to direct some to indirect taxation. It did not require much sagacity to foresee that there would be a reduction of the Income Tax, and when you look to indirect taxes the Tea Duties form a natural subject for reduction. Therefore, I contend, that on the one hand, there was no great credit due to *The Times* for the article—which I am ashamed to say I did not see—for anticipating what the arrangements of my right hon. Friend would be, because when my right hon. Friend stated his Budget everybody must have seen what the general outline must be; in fact, we may say it was what had been "often thought but ne'er so well expressed." Therefore, it was obvious what ought to be, and what was likely to be the general arrangement of the Budget. With regard to the question of the hon. Gentleman, I must say that I am quite convinced that no person belonging to the Government, in whatever Department he may be, high or low, would be guilty of any breach of faith in regard to any matter confided to him. As the matter stands, I see no reason for complimenting *The Times* for any peculiar sagacity in guessing the general arrangements of the Government, and I am quite sure that no breach of confidence has been committed by any person belonging to the Government in any Department.

THE CARTOONS AT HAMPTON COURT PALACE.—QUESTION.

Mr. CAVENDISH BENTINCK said he wished to ask the First Commissioner of Works, To state the circumstances under which the Cartoons of Raphael have been removed from Hampton Court to the Kensington Museum, and also who is to pay for the removal?

Mr. COWPER said, in reply, that the hon. Gentleman was doubtless well aware that Hampton Court Palace was ill adapted for the proper exhibition of these valuable works of art. That had been felt so much before that one hundred years ago the Cartoons were removed from Hampton Court, and placed at Buckingham Palace. Not being well placed there, they were removed to Windsor Castle, but George III. restored them to Hampton Court, where they had originally been placed by William III. Her Majesty had now been pleased to lend them for exhibition at South Kensington, where there was a fire-proof room, and where they would be better seen than they ever had before. Her Majesty had not intimated her pleasure as to their ultimate and permanent destination. They had been safely conveyed without any damage being done to them. The cost of transport would be defrayed by the Science and Art Department, which would have the custody of them, and which had made such admirable arrangements for their being seen without risk or disadvantage.

Mr. WALPOLE said, these Cartoons, now that they were more visible than they had been hitherto, were shown to be very much damaged indeed, and he wanted to know whether any steps had been taken to ascertain the best means of preserving them from further deterioration?

Mr. COWPER said, that the Art Referee of the South Kensington Museum, Mr. R. Redgrave, who was also Superintendent of Pictures to Her Majesty, had examined very minutely into the present condition of these Cartoons, and he had called to his aid several other persons eminently qualified to judge of such matters among others the hon. Member for Southwark (Mr. Layard), and the right hon. Gentleman might be assured that they were in hands quite qualified to take any measures which might be necessary for their preservation.

INDIAN MEDAL.—QUESTION.

Mr. W. MILLER said, he would beg to ask the Secretary of State for India, When the Return moved for on the 20th March relative to the grant of the Indian medal to the troops and police employed in suppressing the Mutiny and Rebellion in the Bombay Presidency will be laid upon the table; and why has no action been taken on Lord Elphinstone's protest to satisfy the troops and police who were promised the medal, and then refused by the Commander-in-Chief (especially in regard to the police, who were under the Civil power, and not subject to any control whatever from the Commander-in-Chief); and on what principle does the Secretary of State for India explain the distinction he has made in granting the medal to the men at Kolapore, under General Jacob, and denying it to those who were engaged in other parts of the Bombay Presidency?

Sir CHARLES WOOD said, in reply to the first part of the Question of the hon. Member, that the delay in the production of the Return had been the result of sickness in the Department, which had crippled its efficiency; but he believed that the desired information would be laid on the table in the course of a few days. With regard to the second question, he was not aware of what was meant by the protest of Lord Elphinstone, and he was unable to find any trace of such a document. In answer to the remaining question, he wished to say that the Bombay Government, in accordance with the views of the Commander-in-Chief, were of opinion that the force employed in the particular service to which the hon. Member referred were not entitled to the medal, and the India Government arrived at the same conclusion. It was asked why the medal had been given to the Madras force while it had been withheld from the Bombay force, but the fact was that it was not given to either force. The principle adopted in the case of the forces in India was to give the medal to those men who had been employed in the field against the mutineers, and to confine it to them exclusively.

ROADS AND BRIDGES (SCOTLAND) BILL.
QUESTION.

Mr. BAXTER said, he would beg to ask the noble Lord the Member for Haddingtonshire (Lord Elcho) Whether, considering the late period of the Session, and the great variety of interests affected by the Roads and Bridges (Scotland) Bill, he will consent to defer its further consideration till next Parliament?

Lord ELCHO replied, that as the interests affected by any measure of this kind would not be less various in another Session than they were in the present, and as he considered it most desirable to effect some legislation upon the subject, he thought the objecting interests in question should state upon what grounds they objected to the Bill. He, therefore, in order to give them an opportunity of expressing those objections, proposed to proceed with the Bill to-morrow, and afterwards to reprint the Bill with such Amendments as should be suggested, so as to make it more palatable, or, at all events, less unpalatable, to the people of Scotland.

UNION CHARGEABILITY BILL.

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [11th May], "That Mr. Speaker do now leave the Chair," and which Amendment was, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Thompson,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Mr. HENLEY: Sir, I think it right for the information of those Members who may not have been in the House on Thursday night to say a word or two respecting what took place on that occasion. The Cabinet Minister who has charge of the Bill, directly accused — in plain terms — those who were speaking on the Motion for going into Committee, of a design to obstruct this Bill unduly. I wish therefore to recall to the recollection of the House how the case stands. Some time in February, I think it was on the 23rd, this Bill was introduced. On the Motion for the second reading an Amendment was moved by the hon. Baronet the Member for Northamptonshire (Sir Rainald Knightley) for the purpose of postponing the Bill for a year. A debate and division took place on the Amendment; but no debate was taken on the Motion for the second reading. Now, I beg the House to observe that if it had been the object of the parties opposing this Bill to delay its progress, it would have been perfectly competent to them to raise a debate on the second reading, and so prolong the discussions. But what took place on the other side? In bringing this Bill under the notice of the House the right hon. Gentleman the President of the Poor Law Board (Mr. C. P. Villiers) took the most unusual course of quoting from official papers not in the hands of the Members of this House. He quoted those papers in the very strongest language, language which, if it had been borne out by facts, I do not hesitate to say must have made any one to whom it applied feel very uncomfortable. But was that all? What was the state of the case with regard to the Report so quoted? It was a Report ordered by Act of Parliament to be laid on the table of this House in the month of March. What I am now about to say does not concern the practice of this House, but it does concern the practice of the Department from which the document itself comes. The right hon. Gentleman quoted it on the second reading of the Bill, and he said, "It is before the House, but I don't know whether it is printed." Those were his words, or his words were to that effect. The truth is this. The Report had been presented in what in official language is called "dummy." Well, the right hon. Gentleman out of that Report made a most damaging statement affecting a large portion of the community. The right hon. Gentleman stated that he hoped to get on with the Bill on the 27th of April, but when that day arrived the Scotch Members took possession of the House, and as they generally stand firm to anything they have in hand, they would not give way. However, on the 20th of April the Report was printed; on that day it was delivered in the library of the House. The 20th of April was in the recess, and Members are not, I believe, in the habit of resorting to the library during the recess. I do not know whether it is open or not; but on the same day there appeared a sensation article, with large quotations from the Report, in the leading journal. Now that is hardly fair play to this House. If it was a Report dealing with other matters, the House would neither have said or thought anything about it; but there is not a passage of that Report from the beginning—including the remarks of Dr. Hunter and Dr. Simon—which does not by implication, and in some instances actually by word, refer to the measure now before the House. We had, I repeat, no opportunity of seeing that damaging Report, and surely when such a state of things exists it is not unreasonable that we should now seek to answer its charges. I think it is a little strong for a Cabinet Minister to say it is obstruction that we are now discussing the measure, when we could not have done so in an earlier stage in consequence of those most monstrous assertions not having been sooner laid before us. I use strong expressions, but I hope before I sit down, if I have physical strength, I shall be able to justify them. I trust the hon. Member for Bradford (Mr. Forster) did not think me discourteous on Thursday night when I loudly cheered his remark that the Report not only did not support, but absolutely contradicted the statements of the right hon. Gentleman (Mr. Villiers). It is but fit that we should defend ourselves when we are lying under this scandal—for it is nothing else; not brought against us by the accident of debate, but deliberately by a Cabinet Minister, before we had had an opportunity of seeing the Report. I think it is a little too strong that the right hon. Gentleman should not only make the charge against us of obstructing the Bill, but, for all we know, let loose the press upon us into the bargain. Another matter intimately connected with the charge of obstruction is this—the other night there were two Motions before the House; one, which was debated for two or three hours, was in reference to alteration in the size of the unions. Not one single man who touched upon that point ventured to say—indeed, I believe, no man can say—that the unions are convenient in size. The right hon. Gentleman met us by saying he had plenty of power to make the necessary alteration; but he did not venture to say that the unions were convenient in size. I do not think he could screw himself up so far as to make such an assertion. It is well that the question should be raised, because if this power were necessary it ought to be so fenced and guarded as to prevent—I do not say this Minister, because I do not know that he is worse than others; but any Minister, I will not say from jobbing, but from having the imputation of jobbing cast upon him in consequence of changes he might make. Another subject for remark is that the question we are debating, the Motion for Inquiry, is not made by a Member hostile to the Bill. The hon. Member for Whitby (Mr. Thompson) who proposes that the subject be referred to a Select Committee, sits on the same side as the right hon. Gentleman. But what took place during the debate the other evening? The most conflicting statements almost that could be made were put forward upon that occasion. The right hon. Gentleman in bringing in the Bill based his statements on the Report and on a certain state of things he alleged existed at the Docking Union, in Norfolk. Now, the hon. Member for Worcestershire (Mr. Knight) made statements as to that union completely at variance with those made by the right hon. Gentleman. Surely, under such circumstances, some inquiry into the matter is necessary. Again, with regard to Yorkshire, the hon. Member for Devonport (Mr. Ferrand) stated that wages were paid out of the rates. Now, that was a most important statement, and was not likely to be overlooked by those who have known what the inconvenience of that system was forty or fifty years ago, and who would, therefore, feel some considerable apprehension at its introduction into other parts of the country. How was that statement met? The hon. Member for Bradford (Mr. Forster) gave it a positive denial, and challenged the hon. Member to support his allegation by proof. There is a considerable difference between these Gentlemen, but I suppose we may take it that if the wages are not paid out of the rates, rates are paid in aid of wages which comes to nearly the same thing. But surely, when there are such conflicting statements, the matter becomes a legitimate object for inquiry? Now, I say that these are all legitimate subjects for inquiry. I must, at the rish of wearying the House, venture to draw their attention to this Report, which has been relied on by the Government in the course of the debate as a sort of great battle-horse. I feel strongly on the subject, and I trust the House will excuse me if I refer at some length to the Report. The charges contained in that Report are so grave that, if true, no man would like to show his face while under them; but, as I believe they are not true, I can only say for myself—old as I am, and half-worn out—if I could do nothing else when such charges are made I would lie upon my back and halloo "Fudge" as loud as I could. I am myself the owner of property, and I feel I could never again raise my head if fairly open to such charges. Not one tittle of evidence has been brought forward in support of these charges; on the contrary, the evidence adduced in their support has totally disproved them. The Report is made by a Dr. Hunter, under Dr. Simon, who is in some way connected with the Privy Council. That Report, if not intentionally kept back, at all events was not in the possession of hon. Members until the period I have mentioned—it was not circulated among them until after it had been made use of by Government. Now, in the introduction to that Report, Dr. Simon says—

> "Especially within the last twenty or thirty years this evil"—(that is to say the evil of taking down cottages)—"has been in very rapid increase, and the household circumstances of the labourer are now in the highest degree deplorable. Whether he shall find house-room on the land which he continues to till, whether the house-room which he gets shall be human or swinish, whether he shall have the little space of garden that so vastly lessens the pressure of his poverty—all this does not depend on his willingness and ability to pay reasonable rent for the decent accommodation he requires, but depends on the use which others may see fit to make of their right to do as they will with their own."—p. 9.

Pretty strong language. The charge which is made is not that there had been a deficiency of houses or an indisposition to build on the part of landlords, but that there has been a constant and untiring destruction of cottages. This is not a very pleasant charge, but we all of us fall so far short of the full performance of our duty that no man could complain if another said to him, "You ought to have spent so much more upon this or that than you have done;" or, "Out of your income you might have done so much more in one direction or another." That would be a matter of opinion, and I certainly should not say a word against it. But this Report goes a great deal further. It says—and in this the hon. Member for Bradford will bear me out—that for thirty years there has been, throughout the length and breadth of the land, a wilful, wanton, and unsparing destruction of cottages.

MR. W. E. FORSTER said, that he understood the Report to apply that charge specially to the eastern and midland counties, and not to the length and breadth of the land.

MR. HENLEY: I am willing to narrow it to the midland counties, but the Report does not so confine the charge. In almost the next sentence Dr. Simon speaks of the landlords who exercise this power. He says they have but to resolve and there would be no labourers' dwellings on their estates. Another pretty strong statement. The hon. Member for Bradford says that this language only applies to a few counties in the kingdom. I wish I could think that that was the case; but Dr. Simon not only quotes Dr. Hunter's views, but he adopts his figures, and about those there can be no mistake. Dr. Hunter's figures extend to all the counties. There is a table showing the amount of what is called "unnecessary demolition" in each, and therefore it cannot be said that these observations apply to only a part of the country. But that is not all. Dr. Simon in his Report says that certain counties in the middle of England, which he names, are worse than others, and when he speaks of one being better or worse than another it is clear that he does not mean to exclude those with which the comparison is instituted. Dr. Hunter states that he was ordered in 1864 to make an examination into the cottage accommodation in every county, and he goes on to say that he was not to undertake this labour for what he calls "the elaboration of the views of others," but that he was to report upon sight and measure. No mode of dealing with a subject could have been more satisfactory than that, if the gentleman would but have confined himself to what he saw, and drawn his conclusions from facts ascertained by his own observation; but it was impossible to read this Report without coming to the conclusion that it was done to order—that was to say that a certain point had to be established, and that bits of reports were picked up here and bits there, and things were fished out everywhere where it was possible in order to bolster up preconceived opinions. Dr. Hunter makes a very remarkable distinction as to the people who live out of towns. He says that the agricultural labourers remain in the towns, but the rural labourers are being swept away, and that the smaller close parishes are mere show places, and he goes on to say that this has been effected by unsparing destruction. The House will see that this is not a question whether or not a man builds sufficiently to meet the wants of an increasing population. The accusation is that throughout the length and breadth of England, especially in the midland counties, the people are driven out by the unsparing destruction of cottages. Now, if I show to the House, as I think I can, that not only is that not true, but that it is the reverse of the truth in the very places to which Dr. Hunter refers, I think that we have reason to complain that the right hon. Gentleman should so recklessly have brought forward this Report and should have done it at a moment when it would have time to fester in the public mind, and when it was impossible that it should be looked at, to say nothing about its being answered. I repeat I think that that was hardly fair. This Report was commented upon by the right hon. Gentleman before we had it, and he then said that the poor were compelled by this demolition of houses to live in a brutal manner. Therefore he adopts Dr. Hunter's facts and conclusions, and upon the second reading he said that Dr. Hunter had paid great attention to facts—that is how he drives in the nail and clinches it—and that the Report would be read with suprise and sorrow. I confess that I did read it with both surprise and sorrow, but I have given myself some trouble to analyze the facts which are stated in it, and have ascertained that its assertions are not well founded, and therefore my sorrow has passed away, though my surprise remains. Dr. Hunter goes on to say—and this shows how necessary it is that the House should attend to time in this matter—that up to 1837 the rural population—that is, those who live in villages, not those who live in towns—maintained a rate of increase, and therefore it is clear that he means to intimate that since 1837 there has been an additional demolition of houses. "The cause," he says, "is parochial settlement. The charge of relief being upon each parish, the law of settlement tempts to pull down." But if there has been no pulling down, what becomes of the temptation? But there is no proof whatever of pulling down, not a vestige; therefore what becomes of the temptation? This gentleman cannot have been very well informed upon the subject of parochial settlement law. I am speaking now in the presence of the right hon. Gentleman the Secretary of State for the Home Department and the President of the Poor Law Board, and they are both aware that the changes which were introduced into the Poor Laws about 1835 or 1836 very much diminished any inducement which might then exist to get rid of cottages. At that time, if a girl came into a parish to which she did not belong, and had an illegitimate child, because the kid was dropped in your parish you had to be accountable for it, that was done away with about the time which I have mentioned, as were also settlements acquired by paying rates for a cottage, however low the rent, and by hiring and service. It is, therefore, astonishing that two learned pundits, both having the prefix of "doctor" to their names, should fix upon that time as the period at which something happened which increased the temptation to commit these inhuman acts. It seems to me, I confess, a little odd that these gentlemen should have pitched upon this particular time to make statements so ill-advised and so reckless, and I certainly feel it a very ungracious duty to have thus to comment upon their Report. Let me not, however, in making those comments, be supposed at all to deny that in almost every part of the country, in the large towns as well as in the rural villages, in this great city itself, there is not much in the habitations of the poor to shock every man of right feeling — much one could wish to be amended, but which one is powerless to relieve. But then the question we have now to consider is not whether there is more or less distress in the rural districts or in towns, or whether there is not more than is desirable of it in both; the question with which we have to deal is whether that distress has been in any way caused or aggravated, not by the fact that houses were not built, but by the circumstance that they have been unsparingly pulled down. There are many curious things in this Report of Dr. Hunter which I should, when more at leisure, wish to examine more closely; such, for instance, as the archæological question which he raises at its commencement with reference to overhanging houses like those at Chester, which he tells us he ascertained, by an examination of the soil beneath, were used as closets; such, too, as the questions whether there ought to be two or three rooms in a cottage; whether it was better the windows should open or slide, and what the number of closets should be, it being laid down with much precision that every four houses should have one accommodation of that kind. But, passing over those points, I come to grapple with the more important statements which Dr. Hunter makes on this Report. He says that the rural population of England continued to increase during the reign of George III and until 1837. That then a migration or expulsion set in and they began gradually wasting away, and he refers to the disappearance of scores of cottages on thousands of estates. He adds that the agricultural labourers were flying to the towns, not for work, but for residence, and that they were not attracted by the prosperity of the towns, but driven there for that purpose. Now mark the animus of that statement which I think I shall be able to show the House is absolutely untrue—the attempts to fix this odious charge not on the parishes but on the owners of the estates. There are, I may add, other equally strong statements, and here I would observe that Dr. Hunter refers to various agricultural reports, and especially to the census, the notes of which he looks upon as pecu- lialy valuable for his purpose. We shall see presently the value he himself sets upon the census. Another sample of the animus of this Report may be found in the statement that every attempt made by the farm labourer to render himself independent of his employer had been too often met by imputation on his honour or on his industry. The labourer's cows have been within this century nearly extinguished, his pig was frequently condemned, and his garden seemed likely to follow — common rights heretofore of which he had been in this and the last generation deprived. But let us see how he proceeds. He tells us that their gardens are taken away from the agricultural labourers. Here, again, we have a very explicit statement; but then he does not give us a single instance of a man's garden being taken from him. On the contrary, every page of the Report tends to show that the allotment system had become general. What honesty—for I can use no other word—is there, I would ask, under those circumstances, in making such insinuations as that which I have just brought under the notice of the House? If Dr. Hunter means that, owing to the constant increase in the population, people go to live where gardens cannot be had, why does he not say so? That, however, which he would throughout lead the reader of this Report to believe is that the pulling down of houses is carried on to a considerable extent, and that it is a consequence that persons are obliged to go elsewhere. Having said thus much on the general question, I would now, with the permission of the House, enter somewhat more into detail, and I would take the liberty of remarking, that I wish every county Member had worked out his own county as I have done mine (Oxfordshire). It is only by facts that such general statements as those to which I have been adverting can be met. As to the general statements that are made, you can take the figures and show that they are not true. But with respect to the particular statements, a man can only speak of what he knows in connection with his own neighbourhood. Dealing with Oxfordshire, Dr. Hunter cites a number of instances in which he says the destruction of cottages has taken place. He names fourteen parishes in Oxfordshire in which he says houses have been unnecessarily demolished. He, however, does not give a single instance of a house having been pulled down in any one of the places he has visited. This, therefore, is a gratuitous assertion, founded on something which he has somewhere heard or read. I should have thought that before making a statement of that kind a man would have had recourse to the information which he had ready to his hand, in order to ascertain what was the truth. Now, let me tell the House what has been the state of Stanton Harcourt, said by Dr. Hunter to be one of those close villages which take the labour of the poor but decline to give them shelter or take the burden of their sickness or old age. During the last thirty years, during which time we are told this terrible work has been going on. Stanton Harcourt, as everybody knows who knows Oxfordshire, is the property of the Harcourt family. In 1831 there were in that place 117 houses, in 1841 the number was 143, in 1851 it was 141, and in 1861 it was 142. With these figures upon the face of the census I say that it is perfectly monstrous that a gentleman should not avail himself of this information before scattering abroad such charges as these, which are very painful charges, to some people. But that is not all which this gentleman has done for my county. He begins his essay, as I may call it, with reference to my county in a very curious manner, and I will venture to read an extract of it to the House. This gentleman, it must be remembered, deals very much in foot-notes. Now, he refers to a report which was published in an agricultural journal by a Mr. Reed. I had the pleasure of knowing that gentleman during the ten or twelve years he resided in our county, but I know that Mr. Reed has fallen into a mistake upon the subject. Mr. Reed states that the unfortunate policy of our settlement law offers inducements for the demolition of cottages in places where they were urgently required; but I do not think from what he knew of the county that he could say that such was the case with reference to Oxfordshire. The report goes on to say that farmers are so short-sighted as to object to have cottages upon their farms. Let us come to the foot-note. In it the writer alluded to what he called the demolition of a certain place. I suppose he (Dr. Hunter) thinks that Mr. Reed's report does not go far enough, and so he will give it a little help, and so the foot-note quotes Southey's *Doctor* and Whitehead's verses upon the demolitions at Nuneham. Now, any one would have thought that when a man was dealing with transactions of 80 or 100 years ago he would have been careful to quote only what would give a true view of the case. Common honesty would have required that. I have taken the trouble to consult Southey's *Doctor*, but I could not find the chapter until the right hon. Gentleman opposite was kind enough to give me a reference to the particular chapter. Mr. Reed states that the law of settlement operates as an inducement to the demolition of cottages, and then Dr. Hunter refers to transactions which took place eighty years ago—in 1785, before I was born. Now, what was the transaction at Nuneham that he refers to? It was not the demolition of cottages, but the removal of a village. The right hon. Gentleman the Chancellor of the Exchequer knows Oxfordshire almost as well as I do, and probably he knows that in respect of cottage accommodation, considering the period at which the cottages were built, there are few villages which can rival Nuneham. What honesty can there be in quoting things in this way calculated to give pain to many. Then as to Whitehead's poem. I do not know whether the inscription remains in the grounds at Nuneham, but I believe it was a fugitive piece, and written very much upon this foundation. At the time of the removal of the village, when the church was rebuilt and other improvements were made, there was one woman who entertained a deep regard for the cottage in which she had been born and lived for many years. She also felt an attachment for a particular tree which now goes by her name in the grounds at Nuneham. Was this old woman turned out topsyturvy without any regard to her feelings? Not at all. She was allowed to remain, and her cottage was permitted to stand during her lifetime, and it was not until after her death that the cottage was finally removed. The last Lord died in 1830. Therefore, this statement or innuendo is made in bad taste, if not with bad feeling, to fix a charge upon people who are dead and gone. The only excuse which I can imagine for such a proceeding is that as every one who knows this family knows also the great care and the vast sums of money which they have expended to make everybody about them comfortable, probably this gentleman knowing that thought he could do them no harm, and might, perhaps, point his weapon a little sharper against other people. But I think that such conduct is unjustifiable on the part of any man, and I think it is also unjustifiable for a Minister to bring such a thing into the House. The right hon. Gentleman makes a face, but it is true. When a Minister produces such a work as this, and quotes it in order to base upon it a great measure, I say it is unjustifiable. Now, coming to other matters connected with my own county, I have already stated that this gentleman names fourteen parishes in Oxfordshire where he says houses have been demolished and unnecessarily demolished. I will give the House the facts as to these cases. In order to prove a case, which would be one of cruelty and great hardship if it were true, the gentleman quotes figures to prove a decline between 1851 and 1861. My hon. Friend the Member for Worcestershire (Mr. Knight) the other night told us there was such a thing as short statistics, and they are very suitable for a case like this to justify the statement of the Government that in 821 parishes these dreadful transactions have been going on sweeping away the people from their homes. The House appeared staggered—and no wonder —by the statement, made with the full weight of a Government announcement. My hon. Friend immediately moved for a Return of those parishes, and my hon. Friend knowing all about these short statistics, and how they could be drawn up and used to effect a particular purpose, required to have the state of the case in respect of these places from 1801. So now we have no short statistics, but all the facts of the case as to the 14 parishes in my county which this gentleman has referred to of which five were in no way close. In 1801 the number of houses in those 14 parishes was 658; in 1831 it was 870; and in 1861, 885. What foundation, then, is there for these charges? I cannot use in this House language which ought to be applied to such conduct on the part of those making them. A reference is also made to Ossington, a place with which I believe you, Sir, (Mr. Speaker), are well acquainted. This gentleman tells us that he heard that there had been many houses pulled down there. If he had taken the trouble to refer to the census he would have found that since 1831 there has been a large increase in the number of houses in that place. I do not see why the same system should not have been applied to us small fish as was applied to the large ones. "What's sauce for the goose is sauce for the gander." In fact, the gentleman ought to have been more careful with us, seeing that we should have difficulty in bearing the odium. In these 14 parishes I have given the houses, I will now give the population. The people in 1801 were 3,239; in 1831 they were 4,125; and in 1861 they had risen to 4,460. The number of persons in a house was at both periods almost the same to a fraction. Then what comes of the case against my county? Time has not permitted me to go through all the other counties, but I have gone through the seven midland counties, which are selected as the worst, Bedfordshire, Bucks, Warwickshire, Worcestershire, Oxfordshire, Northamptonshire, and Berkshire. In each county certain parishes are named as having had the houses in them diminished. I find that in Bedfordshire in the parishes named as those in which the houses had diminished the number of houses in 1801 was 417; in 1831, 575; and in 1861, 717. In the county of Bucks the number of houses in the parishes named was 340 in 1801; 437 in 1831; and in 1861, 452. In Warwickshire the number rose from 964 in 1801 to 1,163 in 1831, and 1,234 in 1861. In Worcestershire the numbers are 927, 1,205, and 1,314. In Oxfordshire, 658, 807, and 816. In Northamptonshire, 425, 621, and 703. In every case where he had stated a decrease there had been an increase, and these are the parishes in regard to which such dreadful accusations have been made against hundreds and thousands of gentlemen. Every instance which he cites to prove his case, in fact, disproves it. There is hardly a case in any county in which, after visiting 10 or 20 parishes, he can find any additional proof of his assertions. In Berkshire, which neighbours me—and in cases of this kind I always like to look to my neighbours, Berks and Bucks, for I know that, if the fire is burning there, it will not be long before it gets to me — the numbers have risen from 816 in 1801 to 965 in 1831, and 1,070 in 1861. Before I leave my own county I should like to say a few words more that may exhaust the question. I am sorry to weary the House by all these details, but I feel deeply on the matter, and I believe there is not a gentleman in England who knows that this charge has been made against him but feels in the same manner. It would be worse if it were true, but it is bad enough that such a charge should be made without the slightest foundation. The gentleman has named three parishes in my county. In the parish in which I live there were 41 houses in 1831, 46 in 1841, 43 in 1851, 45 in 1861, and 61 in 1865. We have a hamlet where they only give two houses, though there have always been five; but that is accounted for by the fact that there are two houses each containing two tenements, and the only farmhouse in the hamlet is just on the borders of the parish. In Wood-Eaton 16 houses had become 18. In Elsefield 37 houses have risen to 42. I have referred to Stanton Harcourt, but the report as to these three parishes is equally baseless. But the report is as untrue in its general statements as it is in its particular statements. We have a Return relating to 821 different parishes, and I will show the House that the whole of that Return is as untrue as the particular instances I have cited. Perhaps it is not of much consequence, though it is something—for, when a Return like this is quoted by a Minister of the Crown in his place in Parliament, one's mind naturally asks in what proportion of all the parishes does this horrible practice which is attributed to us exist—but, as a matter of fact, of these 821 parishes 325 are not parishes at all, but only hamlets or townships. The Registrar General is a particular man, and in the Return he gives he puts a little "t," "h," or "c," to show that the place is a township, hamlet, chapelry, and so on. Now in this Return of 821 parishes, if you strike out uninhabited houses, it is incorrect to the amount of 32 per cent even from 1851 to 1861, but when you come to the period of 30 years during which, he says, the great proportion of landowners carried on this cruel practice, it is more incorrect still. I have had this long Return added up, and it stands thus. In 1831, in all these 821 parishes spread over 41 counties there were 57,858 houses, and in 1861, 66,380. I ask the right hon. Gentleman what reliance is to be placed upon such a statement? This gentleman said that that state of things began in 1815, at the time when the Corn Laws were imposed. But what the Corn Laws has to do with the matter no one can tell. Why had he not gone back to the period which he himself had selected, but which would not have given him a peg to hang his argument on from beginning to end? I will now refer to three counties in particular. In Derbyshire the increase in the number of houses was 20, but the number of people had decreased by 17. In Kent the houses had increased by 77, but the population had decreased by 2. In Northumberland, the county in which the right hon. Baronet the Secretary for the Home Department resides, the houses had decreased by 117, and the people by 748, probably owing to matters connected with employment in the mining districts. In all the other cases there had been an increase in the houses and the people. The right hon. Gentleman will therefore see that his own figures are conclusively against him. No doubt he has heard what he states; cock-and-bull stories have been told to him, and probably he has people in the Poor Law Office who go about open mouthed, and the result is that he has introduced charges which never ought to have been brought forward. They never have been brought forward on any occasion without being disproved. On one occasion it was stated that something of this kind had taken place near Reading. An hon. Member instituted inquiries on the subject, and it turned out that no houses had been pulled down. The gentleman who had made the charge then said, "Well, maybe no houses were pulled down, but I heard it and I believed it." Now, how can you deal with such customers? I want, however, to show the House what really is the state of the case. I have alluded to the value which the gentleman whose Report has been quoted sets on the census. In a foot note to the census returns for one county it is stated that in nine cases out of ten the decrease in the population is due to emigration. But what is this Gentleman's observation on that note? Why that the word "emigration" might be safely expunged, and the word "evictions" written in its stead. What right has he to say that in the face of the Registrar General's Report? Still less right has he to make use of his own remark on that foot-note for the purpose of establishing the case of this Bill. The statement of my hon. Friend the Member for Worcestershire (Mr. Knight) is quite satisfactory as far as it goes—namely, that the cases referred to are not general in the rural parts of the country, but confined to those villages visited by this gentlemen. Taking even what he calls the worst, the amount is not larger than in other places, and the comparisons he has drawn are not correct. In towns the humble working people do not live in houses, but in single rooms — in the country, in no case in less than two rooms — so that the comparison which this gentleman has made when he speaks of so many thousand houses is not quite fair. The comparison which is drawn in the Report between the small towns and the town of 45,000 houses does not hold, though I find that the gentleman makes use of a descriptive term which I shall leave to be interpreted by one of the eminent Greek scholars on the other side. I find the term *unalocula* used in this Report, and I have no doubt it will be officially adopted, and that we shall have *unalocula* and *multalocula* constantly used in reference to the habitations of the poor. But the broad question is this — are the cottages pulled down? The truth is the cottages are not pulled down, and there is sufficient reason to account for the state of things connected with the population without this theory of pulling down. I am old enough to have lived through the great French war, and to remember the changes caused in my county through the effects of that war. I would ask the House to recollect that in my part of England we manufacture little or not at all. There is no employment except that which is derived from the land. Well, in Oxfordshire in 1801, the population was 111,000, and in 1861, it was 170,000, a very great increase. The increase of population from 1801 to 1811 was 7 per cent; from 1811 to 1821, 15 per cent; from 1821 to 1831 it went back to 11 per cent; from 1831 to 1841 it was 6 per cent; from 1841 to 1851 5 per cent, and from 1851 to 1861 0.3 per cent. That is not the whole of the case. When the labouring population began to increase less rapidly, their condition began to improve in consequence of there being more employment for those who were willing to work. There are only two towns in Oxfordshire, except Oxford itself, of any importance—Banbury and Chipping Norton. In those three towns the increase of population between 1831 and 1841 was 4,399 out of a total increase of 9,000 for the whole county, leaving 5,000 for the agricultural parts of Oxfordshire. In the next decennial period the total increase was 7,000, of which 4,000 were in those three towns, leaving 3,000 for the agricultural parts. The results in the next decennial period were still more striking. Such being the state of things, was it just, was it reasonable, was it decent, to make the charges which were put forward in this case? There was a very curious statement in the Report with regard to the demolition of houses at a place called Charlton Marshall, in the county of Dorset. It is said that in 1857 it contained 167 houses, but in 1861 it only contained 124, something like 43 having been demolished between those periods, while the population increased from 463 to 553. The gentleman, however, much to my surprise, made no inquiry into the causes of this remarkable alteration. I, however, find that in 1831 there were only sixty-seven houses at Charlton Marshall, and in 1841 only ninety; therefore, it is very strange that the numbers should have jumped up to 167 in the next ten years, and down again to 124 in the last ten years. The right hon. Gentleman, in quoting the Report, said that Dr. Simon frequently gave praise when it was due to those noblemen and gentlemen who had taken care of the interests of their labourers. But there is a kind of praise which damns, and I must say Dr. Simon does not give "clean" praise. He is continually making use of innuendoes; while pretending to approve the conduct of Lord Exeter and the Duke of Bedford, he says the system they adopt is not perfect — I should much like to know what system is; that no attempt is made to sort the families to suit the accommodation afforded by the various dwellings. Did anybody ever hear such an absurdity? What a desire there must be on the part of the man who writes such stuff to scandalize everybody! He expresses his opinion that the cottages should be attached to the farms, and that they should all be made agricultural villages. What will become of the old and the infirm in that case? Why, they will be turned adrift, and the poor man who, although living honestly and decently, has but a small family, will be turned out to make room for those who have more children who can be made of use on the farm. This is a sort of handling which the poor man will scarcely be grateful for. I am glad to hear he approves the Berkshire cottages. Speaking of the cottages in Berkshire, he said—

> "At Fenihampstead a gentleman had built excellent small houses under the names of cottages, and is said to be about to pull down the old. It is feared the contemplated destruction of the houses will in the end drive the poor into towns. The new houses may not long remain in such hands.

And again—

> "On the Oxfordshire side cots have been destroyed and people driven four miles to seek lodgings in the country."

Then, in reference to Basingstoke, he said—

> "Cots go to ruin in hundreds, and families increase everywhere, but it must not be concealed that the game preserver has reasons for disliking a full population, and the high value attached to game in this part of England has its influence in condensing the inhabitants of these counties within the towns."

Now, I am not a game preserver, but I cannot help being struck by the way in which this gentleman has gone out of his way to drag in everything into his Report that could produce an effect against landlords. I beg to know what proof this gentleman has offered, or can offer, in support of his statement. Let the House mark what this gentleman says as to the village of Broughton, in Lancashire—

> "The excellent condition of the houses in Broughton and Barton is accompanied by a high degree of opulence and comfort not produced by the generosity or ostentation of the Lord, but the direct effect of the high value of the labourer."

In the same page he states—

> "In 1831 there were seventy-four houses in the manufacturing village of Nateby, but only three persons to a house; there are now sixty-two houses and six persons to a house."

Now, what is the good of quoting that with any reference to an agricultural population? Here is another of his nasty innuendoes. With reference to Bunworth, Pitsford, and Flone, in Northamptonshire, he says—

> "If the village belonged to two or three rich men the wells would be deep, and deserve the popular name of everlasting, but the village would

become a close one; no building would be allowed; the failings of human nature would be prohibited and unforgiven; and the dreadful open village would have to form anew in all its misery on the nearest convenient space. The landlord has found it convenient to throw all his farms together into two or three. It simplifies the affair; fewer questions are raised; rents are more easily collected, and in his instinctive fondness for land the farmer will pay more increase of rent than he can hope to get from his increase of land. The farm capital of the parish is reduced, less food is raised, and employment gets scarce. The fields are full of thistles—there are more daisies than wheat—the barley is scarlet in June, and purple in August—and yet the people are idle in the streets. Soured by the sight of waste while they want, surrounded by crops of weed which their labour might have turned to fruit. While on the one side of the wall the field is crying out for labour, on the other side the baulked labourers lean looking longingly on the land. Fevered in summer and half pined in winter, no wonder if, to use their own archaism, the parson and gentle folk 'seem frit to death at them.'"

I ask whether these passages do not warrant my assertion that it is a sensational Report, produced for the purpose of attaining a certain end. Whether it was got up to order or not I cannot tell, but if it were it could scarcely have been more highly coloured. A statement more unfair could hardly be made. It is as unjust as anything can possibly be. The true state of the case is this. I believe at this moment there is no inducement to anybody, and no desire on the part of anybody, not to build. In the part of England in which I reside, and within a radius of twenty-five miles of my own house, demolition is, so far as I am aware, unknown, and it could not take place without my knowledge. I make that statement most unreservedly, and in the strongest possible terms. I have said what I have done, because the Government put this Report, unknown, unseen, and when it could not be answered, before the country and before the House; and I think that that fact, coupled with the contents of that Report, affords an ample justification for a demand for inquiry. It is the question of inquiry that we are now discussing; we are not debating whether we shall go into Committee on the Bill, but whether it shall be referred to a Select Committee. No man can be sure that he is right, but I have read this Report as carefully as I am capable of doing, and the time which I had to do it in would allow. The right hon. Gentleman must take a view of it entirely different from mine, or he would never have referred to it in the language which he used the other evening. The public press has written sensation articles commenting upon it, and we have a right, scandalized as we have been, to an inquiry to see whether it is true or not. Is that all? We are warned by the public press that this is a matter which touches the interests of the poor, and that they are not represented. I believe that this measure touches the interests of the poor, but I believe that its adoption would be a great injury to the poor. I am not going now into the question of the shifting of burdens. We have been warned that this Bill touches the interests of those who are not represented, but it might be well if we could imagine what other interests it touches. There are certain things called towns, and there are among those towns certain things that are called boroughs. I should have been unwilling to allude to this but for the use which has been made of this Report, and the warning which has been addressed to us as to the unrepresented condition of the poor. I will tell the House what in two boroughs is the state of the case. A gentleman with whom I am entirely unacquainted, has sent me what purports to be an account of the Union of Lancaster, and a statement of what will be the effect of this measure upon them. That union consists of 20 parishes, of which 5 will gain from £4 18*s*. to £941, and 15 will lose from £23 to £222. The place which happens to gain is the borough of Lancaster. Of course such a thing as that previous to a dissolution could have nothing to do with the measure; but here is the fact—that the borough of Lancaster will gain £941 a year. Capitalize £941 at 20 years' purchase, and it will give a pretty good sum. Poor wretches are prosecuted for taking a pot of beer for a vote, but this is a pretty considerable step in the same direction. An hon. Friend of mine (Mr. Egerton) stated the other night that the borough of Macclesfield would gain by this measure. According to the Returns, the rateable value of the property in Macclesfield had increased from £47,150 in 1852 to £60,000 in 1856. The average amount of the poor rate in the borough is 2*s*. 2*d*., and in the union 1*s*. 4*d*., a difference of 10*d*.; but take the gain of the borough at 9*d*. in the pound on the rateable value of £60,000, and the amount per annum will be £2,250. Is it to be wondered at, then, that Macclesfield should be strongly in favour of this measure? When, therefore, we are urged to pass this measure for the sake of the poor who are unrepresented, there can, I think, be no inconvenience in our making an inquiry as to how it will affect those who are represented, and who are to get so large a share of the plums out of the pudding. The instant this Bill was introduced I asked for information, but the right hon. Gentleman either could not or would not give it. I will conclude by telling the House what is the state of things in my own union. That union consists of 36 parishes, and the average rate is 1*s.* 3*d.* in the pound. Under this Bill ten parishes will be increased by 8*d.* in the pound; eleven will gain 6*d.* and upwards to 1*s.* 3*d.*; in five the rates will remain the same; eight will gain less than 6*d.* in the pound, and two less than 7*d.* Five of those which will gain are close parishes. See how curiously and capriciously the Bill will work. There is a close parish in which I live at the edge of the county. The next parish belongs to a Whig nobleman (Lord Clifden), and it is equally close —every acre belongs to him. I shall lose 7*d.* in the pound, and he will gain 7*d.* The rich Whig nobleman is to gain 7*d.* in the pound, and the poor Tory commoner is to be robbed of 7*d.* There may be a good reason for this, but concerning things *non existentibus et non apparentibus eadem est ratio;* and this is as clearly money taken out of my pocket and put into his as anything can be. It is a most fortunate thing for the country that people have not gone on as Dr. Hunter would have had them. When people live in healthful neighbourhoods where the duration of life is long, and when they are not profligate, they get a smartish number of children; and if during the last sixty years whenever a young man wanted to marry, a house had been built for him and a piece of land had been given to him, I do not hesitate to say that we should have been pretty nearly in the state of Ireland. You cannot limit the production of people if they can find the means of living, and I, for one, do not see what difference there will be between the state of things in a union and in a larger parish. Under this Bill every union will in fact become one large parish, and in the large parishes in the middle of England, as everybody knows, the people are infinitely worse off than elsewhere. The least pressure upon the rates produces great distress, whereas in rural parishes the moment the people come upon the rates employment is found for them. This measure, then, is, I believe, calculated to produce a bad effect. I should, perhaps, rather say that no man can tell how it will operate, and it is upon that ground I ask for further inquiry and further information. I therefore cordially support the Motion referring this Bill to a Select Committee — a Motion which was made not from these Benches, but by an hon. Member on the other side of the House, who, as far as I know, is friendly to the measure.

MR. H. A. BRUCE: The right hon. Gentleman who has just sat down intimated in pretty distinct terms, towards the close of his speech, that this Bill was introduced for a party object, and that the Government sought by its means to serve some electioneering purpose. He seems, however, to have forgotten that it is founded on the recommendation—I believe the unanimous recommendation — of a Committee which sat for three years, and which was as fairly constituted as any which has ever been appointed by this House. Nor does the principle of the Bill rest solely on the recommendation of that Committee. Everybody must be well aware that its principle is one which has been advocated by nearly every thoughtful writer and every thoughtful statesman for many years past. I am therefore surprised to hear from the lips of the right hon. Gentleman a statement which is capable of being so completely refuted. My object, however, is not to enter into the merits of the Bill, but rather to reply to the attack which the right hon. Gentleman has thought proper to make on the Report which formed the topic of so large a portion of his speech. The right hon. Gentleman has asked if this Report was made to order, and, if not, what was its history? Its history, I may tell him shortly is this:—In 1863, a most competent person, Dr. Smith, was employed under the direction of the medical officer of the Privy Council to prepare a Report on the food of the people. That Report excited great interest; it was widely read and commented upon, and I am in a position to say that it produced the most beneficial effect. It was then suggested that this inquiry should be followed up by one of an analogous character into the residences of the people, and I can positively state that that inquiry was not instituted with the remotest reference to the present Bill or to any other Government measure. I, at any rate, when the expediency of making the inquiry into the dwellings of rural labourers was suggested to me was perfectly unaware that it was the intention of the Government to bring forward any such measure as the present, and I feel satisfied that Dr. Simon was equally ignorant of any such legislation being intended. Thus much, then, for the object of the Report. I will now say a few words as to the time when it was produced. The right hon. Gentleman has told us that its production was postponed until an unusually late period of the year, in order to keep from hon. Members that information which they had a right to expect. I would, however, remind the House that the corresponding Report was laid on the table of the House last year, on the 15th of April, and this year, on the 20th of the same month—only five days later. I am further able to say that but for the illness of Dr. Simon it would have been produced a fortnight earlier. The right hon. Gentleman also complains that this Report was furnished during the Easter vacation; but it was published as soon as it could be printed, and it so happened that the publication was completed during the Easter recess, which accounts for its not having been circulated sooner. The circulation of this Report depends on the decision of the Printing Committee, and last year that Committee directed that it should not be generally circulated, but that 250 copies should be printed, and that they should be issued only to those Members who asked for them. This year, when the Report appeared, the Committee was not sitting, and the consequence was that the Librarian of the House acted on the precedent of last year, and to my regret I find that instead of the Report having been circulated among all the Members of the House, the number only was printed which was printed last year. But the right hon. Gentleman says that the object of the Report was not only to make out a case in favour of this Bill—an insinuation for which there is not the slightest ground —but that the Report itself is conceived in a spirit the most hostile to the landed interest. Now, before I reply to that statement, I would observe that all the agricultural reviews and journals have for many years past contained general statements as to the state of the working population in close parishes precisely similar to those in this Report, although, of course, not accompanied by the same fullness of detail. And is it true that this subject is not dealt with impartially in this Report? Why, I find that Dr. Simon, after mentioning the general circumstances of the case, says—

> "It would, however, be unjust to suppose that the relations between the large landowner and the labouring population are universally such as I have described. Dr. Hunter's report shows many illustrations of landownership exercised in a far different spirit. There are some of the very largest land properties in the country where for generations there has been the tradition of better treatment; where at least no aggression has been made against the house-accommodation of the poor; where only very low rents are taken; where gardens are commonly given; where deep wells have been sunk; where at least roofs and walls have been kept in sufficient repair; and where, while the landlord has done these things, the tenants, knowing themselves to be secure against eviction, and hoping that their children may succeed to their homesteads, have been encouraged to plant their gardens, to protect their houses against dilapidation, and even to improve the property by occasional necessary out-buildings."—p. 11.

Again, in the very next page, I find these words—

> "Here, however, it is again right to observe that the evil is not universally found. In contrast with the last-drawn picture of a far too frequent phenomenon many parts of England show the pleasant spectacle of landowners taking real interest in the quality of such cottage accommodation as they chose to have existing on their estates. Often such landlords have begun the re-construction of their cottage property on a scale better suited than the old models to the requirements of an English labouring family." —p. 12.

Then come the names of a great many noblemen and gentlemen who have in a special manner distinguished themselves in providing for the wants of the labouring population. But the right hon. Gentleman has gone minutely into statistics, and here it is, of course, impossible for me to follow him. I would, however, appeal to his sense of fairness and candour, and ask him whether he has not—unintentionally, I am sure—misrepresented the argument and statements in the Report? It is true that the Report states generally that there has been a deterioration in the condition of the labouring classes in the rural parishes within the last thirty years, but the specific charge on which the right hon. Gentleman relies is that as to the decrease of houses in parishes in which the population increased. He says that not only is that charge untrue, but that the readers of this Report would be misled if they thought that the statement applied to parishes, whereas it applied not only to parishes but to townships. Now, here is the statement—

> "But, as regards the extent of the evil, it may suffice to advert to the evidence which Dr. Hunter has compiled from the last census, that destruction of houses, notwithstanding increased local demands for them, had, during the last ten years, been in progress in 821 separate parishes or townships of England; so that, irrespectively of persons who had been forced to become non-resident, the parishes and townships were receiving in 1861, as compared with 1851, a population of 5¼ per cent greater into house-room 4½ per cent less."—p. 10.

The decrease was stated, therefore, to have taken place between 1851 and 1861. The statistics of the right hon. Gentleman opposite have no real bearing upon the question. The right hon. Gentleman referred to certain parishes in Oxfordshire, in which he said the population had increased and the houses had increased also, but he failed to show that the increase had taken place between 1851 and 1861. All his statistics apply to the period between 1831 and 1861, and not to that between 1851 and 1861. Every one is aware of the changes which may occur in a period of thirty years, and a statement of figures between 1831 and 1861 will not be accepted as disproving Dr. Hunter's statements. As the right hon. Gentleman has made this omission the House will be slow to accept the rest of his statements. Inquiry may be necessary—inquiry into the accuracy of the report; but is it proposed to commit this Bill to a Select Committee simply for the purpose of inquiring into the accuracy of Dr. Hunter's report? If Dr. Hunter's report had never been presented this Bill would still have been brought forward. I do not, therefore, mean that an inquiry into the subject of this Bill is necessary, because inquiry has already been repeatedly made, and the result of all such inquiries has been to convince all statesmen of the necessity for some such measure as is now proposed. The Bill of my right hon. Friend receives the support of a majority of the House. It is looked to with interest out of doors, and therefore I hope that there will be no delay in passing it into law.

Mr. PEACOCKE said, he thought that all the arguments which had been used in the course of the debate rather went to support the proposition of the abolition of the law of removal, than to justify an alteration in the mode of rating. As to the allegation that while population had increased houses had diminished in number, he found that general statements were freely made, but the only particular statement was one rather recklessly made by the right hon. Gentleman (Mr. C. P. Villiers), who endeavoured to substantiate it by referring to a Return professing to be a Return of 821 parishes in which the population had increased and the number of houses had diminished between 1851 and 1861. He had looked into the Return, and he found in the first two pages no less than twenty-nine mistakes. As to Bedfordshire, Berkshire, Cambridgeshire, Bucks, and Cornwall mistakes occurred. There were twenty-two pages of the Return, and, striking an average, there would be about 320 mistakes in the whole Return. When the right hon. Gentleman based his argument upon a Return so erroneous, surely that was the strongest possible ground for asking for further inquiries. He did not wish to raise the general question, but he thought the feelings of the poor had not been taken much into account in this debate. It would be well to consider whether the poor man would be likely to receive as careful attention under the union system as he did under the parish system. His own opinion was that the expense would be greater, and that the poor would be worse looked after. No man would take as much interest in a union as in his parish. The right hon. Gentleman opposite relied upon the opinion of Adam Smith, but that opinion was not favourable to the right hon. Gentleman's argument, for M'Culloch's edition of that authority stated—

> "It is essential to the right working of the Poor Laws that their administrators should be intimately acquainted with the condition and history of all parties claiming relief; and the smaller the divisions the more likely is this to be the case, and the more will every increase of the rates be likely to attract the notice of these and make them inquire whether it be indispensable. Had the project for supporting the poor by a general tax been adopted, each individual, conscious of the impotency of his own efforts to reduce the amount of national poverty, would have thought as little of its reduction as of that of the National Debt; and in consequence abuses of every sort would have prevailed. It is only by bringing the burden home, as it were, to the doors of individuals, and making them feel that unless it be confined within the narrowest possible limits it will make a serious inroad on their estates and properties, that a compulsory provision has been or can be kept from degenerating into an incentive to sloth; and it is plain that this principle will operate more effectually in a moderate sized parish than in a union, and in the latter than the kingdom at large, where, indeed, it would not operate at all."

The opinion of Adam Smith, therefore, was in favour of parochial and against union chargeability. When it was found that the case of the right hon. Gentleman rested first upon a Return that he had shown was inaccurate, and next upon an opinion of Adam Smith which did not bear out his view, but was really exactly opposed to it, he thought the House would be inclined to agree that this was a subject which ought to be considered further before legislating upon it.

Mr. WATKIN said, that he did not intend to discuss the merits of Dr. Hunter's report, for in his argument he could afford to admit that that report did not represent the real condition of the agricultural population, and he could follow the right hon. Gentleman in thinking that it might exhibit a bias. The real question before the House was whether inquiry into this Bill was necessary. Every one knew that its provisions were in accordance with the original intention of the distinguished men the authors of the New Poor Law, and every one also knew that it was in accordance with the views of the greatest minds upon the Committee on Poor Laws, which sat in 1847. Upon that Committee, and declaring in favour of the principle of the measure before the House, were Sir James Graham, Mr. Poulett Scrope, Mr. Thomas Duncombe, Lord Harry Vane, and Sir George Grey. And then, again, the Committee of last year actually recommended that a measure should be brought forward. The right hon. Gentleman the President of the Poor Law Board had adopted the recommendation thus made, and brought forward this measure with the most conspicuous ability. This measure would be always connected with the name of the right hon. Gentleman, and it would form a brilliant sequence to the credit due to him for his exertions in favour of free trade, with the principle of which—namely, that of free exchange, this measure was intimately connected. What were the House now asked to do? Why, to refer this Bill to a Committee, notwithstanding all that had gone before, and to ignore everything of the past in connection with it. The effect of the proposition would be that the measure would be turned over for this Session, and that appeared to be the real intention of many Gentlemen on the opposite side of the House. He asked whether an opposition of this character was creditable to the party making it, and whether it would not have been more straightforward had they voted against the second reading of the Bill. The two questions to which the discussion had narrowed itself were—first, what had been called the "shifting of burdens," and second, the rights and interests of the labouring poor. The former merely involved a money division between district and district; the latter affected the circulation of labour, and the homes and happiness of the labouring classes at large. He would admit at once that the state of the dwellings of the poor, not merely in the agricultural, but in other districts, was a disgrace and was to be deplored. The right hon. Gentleman had, much to his credit, fully admitted it, and no one would charge him with any indifference to the interests of the poor. He was, therefore, surprised to find the right hon. Gentleman opposing this Bill and when he complained that a Whig nobleman would gain, and he would lose 7*d.* in the pound by the operation of the Bill, he lamented his case with such good humour that no one could much commiserate him. He (Mr. Watkin) would admit that inequalities would arise, nay, he would go so far as to say that some injustice here and there might be done under the operation of this Bill; but that was a mere local and money question, and ought not to be urged when grave legislation and the happiness of the labouring population were at stake. But he thought the effect of the "shifting of burdens" had been exaggerated. He had presented a petition from the Board of Guardians of the Stockport Union in favour of this Bill. Now, that union contained 80,000 inhabitants, and was composed of manufacturing towns—of towns and villages partly manufacturing and partly agricultural, and of a large district purely agricultural. If offered, therefore, a fair illustration of the general operation of the Bill, and be found that the shifting of burdens was so small that he learned from the Chairman of the Board of Guardians it would not make a difference of more than ½*d.* in the pound. The deputy-Chairman of the Board (Mr. Heys) said, at the meeting at which the petition had been adopted—

> "The amount to be re-distributed upon the provisions of the New Law, taking the last two years expenditure, would be about £1,000 per annum or 1*d.* in the pound upon the present rateable value; but this expenditure is double what it would be in ordinary times, so that a halfpenny in the pound would cover the difference. He had been told by a gentleman of some understanding

that the change would make a difference in the agricultural districts of 4*s.* in the pound; but he (Mr. Heys) stated advisedly that the amount would not exceed, in ordinary cases, one halfpenny in the pound on the annual rateable value. He must be clearly understood to mean a halfpenny in the pound on the annual rateable value, and not a halfpenny in the pound on every rate collected in a year. But, on the other hand, they would be advantaged by the increase of rateable property which must necessarily take place in townships such as Bramall, Reddish, Torkington, and Norbury."

And it must be remembered, as Mr. Heys observes, that while the country might lose for a while, the constantly increasing assessable value of the towns would soon overtake that loss. The right hon. Gentleman, however, urged that this measure was a sop to the towns, and was intended to affect the forthcoming borough elections. That allegation justified him in asking a question in return—a question which was being asked outside that House—and it was this, was the majority of the House to be allowed to carry the Bill, or was the minority who opposed to be allowed to defeat it by factious delays? He would not believe that the right hon. Gentleman would be party to so unfair an opposition, and he hoped yet to see him vote for the Bill. He could not help observing that the right hon. Gentleman had avoided a comparison of the amount of cottage accommodation in proportion to population in 1861 as compared with 1851. There could be no doubt that under the system which this Bill would alter, the house accommodation for the poor decreased, while the population increased. *The Times* said—

> "The results of the Census of 1861 have shown that throughout England the average number of persons living in each house declined in the preceding decennial period, but in upwards of eight hundred agricultural parishes the houses have decreased while the inhabitants have increased."

The question was, had the present system a tendency to diminish the accommodation which ought to be available for the labouring class? Now, he would quote, not Dr. Hunter or Dr. Simon, but an authority which no one could question—that of Sir Edmund Head. Sir Edmund said, in 1848, and repeats the statement now—

> "Unhappily, increase of distance from his work is not the worst evil hence inflicted on the poor man. The families of agricultural labourers thus get crowded into the suburbs of towns, or are thrust into cottages out of repair, the dimensions of which are wholly insufficient. As the children grow up, sons and daughters, father and mother, sleep, it may be, in one room, under circumstances most unfavourable to morality. In times of fever or epidemic disease the consequences are fearful in another way. Great positive suffering is inflicted, and the character of the labouring classes is seriously lowered."

Nothing in Dr. Hunter's report was half so strong as that. It came, then, to this—was the equalization of charges to be set against the physical and moral well-being of the people at large? He would again quote *The Times*. *The Times*, in a leading article of that morning, said—

> "The Union Chargeability Bill is in itself simple and complete. It will confer a real benefit on the landowners who so unwisely resist it, and it will be a still greater boon to the agricultural labourer. Mr. Bright, commenting some time ago on the condition of our agricultural population, declared that in no other European country was it so entirely divorced from the land. The sober truth is that the misery of the agricultural labourer is not that he is divorced from the land, but that he is tied and bound to it. He is *adstrictus glebœ* by the law which makes a settlement his inheritance, and which marks out the parish wherein he must continue to dwell."

This Bill was approved, as he believed, by a large majority of the constituent body. It had been supported by most influential and numerous petitions. It had been opposed on purely selfish grounds, and repeating that he believed in no monopoly of regard for the health and happiness of the labouring classes on the part of either side of the House, he trusted that the right hon. Gentleman would not obscure the services of his whole life in favour of the working man by defeating this measure on no stronger argument than that of a personal loss of 7*d.* in the pound.

Mr. PACKE said, that 450 petitions had been presented in reference to the Bill, 330 of which were against the Bill, and only 120 in its favour. One of the petitions came from the Union of Stockport, the guardians of which had themselves petitioned against the Bill. With regard to the condition of the calumniated midland counties he might say that he had lived in every part of Leicestershire, and he did not know of any close parish where the poor were not well treated and provided with comfortable cottages and allotments. He knew of no instance in that county in which a parish had been depopulated in order to drive the poor into the towns. He had no personal interest in the matter, for he occupied two farms on one of which he would be benefited and on the other injured by the measure. In his opinion a more thoroughly unjust, dishonest, and tyrannical Bill was never introduced for the benefit of the towns over the agricultural population of the country. In point of fact, in this instance, the towns were the wolves and the country the lambs; and those who represented the towns were endeavouring to share the country among them. The labourers were employed by the townspeople, and helped to make their fortunes; and it was not fair that they should afterwards be thrown upon the country parishes. An enormous mass of petitions had been presented against the Bill, and it ought not to be passed without further inquiry. The Members for forty-one counties—Members sitting on each side of the House—had voted against the measure, and so strong an expression of opinion ought not to be disregarded by the House generally. It was not a question of party against party, but of town against country. The Chancellor of the Exchequer had declared that there was nothing more improper and mischievous than class legislation, and as that Bill would necessarily be class legislation the Chancellor of the Exchequer himself ought to vote with its opponents.

Lord HENLEY said, he always looked upon a Motion for further inquiry as an attempt to defeat a Bill; and as he was anxious to see the present measure passed he could not vote for the Amendment. But at the same time he should observe that if it were to receive the sanction of Parliament the Poor Law Board ought to take into their careful consideration the expediency of effecting a re-adjustment of the unions. He could state a case which would show the necessity for such a change. Northampton was a large and an improving town, consisting of about 36,000 inhabitants. The union of which it formed part, comprised, in addition, thirteen agricultural parishes. The poor rate in Northampton amounted, on the average, to about 4*s.* in the pound; the rate in those thirteen agricultural parishes amounted to about 1*s.* 6*d.* or 2*s.* in the pound. Under the present Bill, the inhabitants of the town would evidently be relieved by their association with the agricultural parishes of the union in which, though the rates would be very much lower than 4*s.*, they would still be much higher than those of agricultural parishes not united with a large town. Besides those thirteen parishes there were eight others adjacent, but not in the same union with the town of Northampton. Now, though those eight parishes, like the thirteen others, enjoyed all the advantages arising from proximity to a great town, they had not, like the thirteen, to pay for those advantages. Justice seemed to demand, therefore, that all the agricultural parishes should be grouped so that all within a certain area around a town should be included with it in the same union. What he had stated, in his opinion, proved the necessity of accompanying the present measure by a careful re-adjustment of the unions; and he hoped that matter would become a subject of serious attention to the Poor Law authorities.

Sir BALDWIN LEIGHTON said, it seemed to be admitted by all the Members who addressed the House upon the subject that the Bill would confer an advantage on the towns at the expense of the country; and if that were so it was manifestly desirable that they should have an inquiry for the purpose of ascertaining what would be the amount of the gain upon the one side and the loss upon the other. It had been stated, as a justification of the measure, that landowners had been in the habit of driving the poor out of their parishes: but so far as his experience went in his county, that statement was utterly unfounded. About thirty years ago the country gentlemen were told in official reports that the agricultural parishes were too crowded, and that every inducement ought to be held out to the inhabitants of the rural districts to migrate into the manufacturing towns. It was too bad, therefore, to accuse landlords of what the right hon. Gentleman the President of the Poor Law Board now charged them with. He had not heard a single authentic case of such a mode of proceeding in that county during the last thirty years; and he was convinced that if the Bill were passed it would not cause one cottage more to be built or one cottage more to be pulled down. He did not believe that cottages were either built or destroyed with a view to diminish the poor rate. It was, no dobt, true that proprietors like the Duke of Bedford or the late Duke of Northumberland, who erected a better kind of cottage, invited a more independent class of tenants, and so lessened the pressure of the poor rate; but that was evidently a legitimate mode of accomplishing the object. He wished to observe that some of the figures in the Returns which had been presented to the House might mislead those who were not acquainted with the details of each particular case. He knew himself a parish in which thirty-one cottages had been pulled down and thirty only had been built, and yet the accommodation for labourers had in reality been increased by the enlarged and generally more commodious character of the houses that had been erected in comparison with those which had been destroyed. There could be no doubt, he believed, that the condition of the agricultural labourers throughout the country had improved during the last twenty or thirty years. Many of these labourers were now able to put money in the savings banks. He could state that some of them had come to himself requesting that he might so place their money; and these people were not in every case unmarried men, but more than one of them were married. If towns conferred some advantages upon the country, it was true that they derived many benefits from it. What would Manchester and the other towns of Lancashire do for servants if they could not obtain them from the agricultural districts? Upon the face of it, this Bill was intended for the benefit of the towns; and it was only right that before going into Committee upon it they should inquire how much the boroughs would gain, and how much the rural parishes would lose by it.

Mr. WHALLEY said, that this Bill was only the necessary consequence of the legislation of the last twenty years with reference to the Poor Law of which hon. Gentlemen opposite had been the main supporters, and therefore they had no right to condemn it as unjust and unfair. It would, in fact, be the complement of that legislation; it was required for the purpose of restoring the balance between town and country; and he, therefore, felt bound to give it his support. He himself lived in a parish which would be benefited by the Bill. It was a large parish, answering in character to a town. Its rates amounted to 5*s*. 6*d*.; and owing to the provisions of the law as it now stood only 8*s*. out of every 20*s*. so raised was applicable to its own poor.

Mr. LIDDELL said, there was a strong feeling in the county he represented on the subject of this Bill; yet he must earnestly disclaim on his own part, and on the part of those who sat near him, any intention to offer it a factious opposition. He felt certain that a revision of the boundaries of unions must take place, and that the Poor Law Board would be obliged to appoint something like a Boundary Commission. He always felt that when a measure had passed the second reading by a large majority much respect was due to such a decision on a question of this kind; but he was sure that any candid person would admit that since the second reading of the Bill points of the highest importance had been raised, which absolutely and imperatively required examination. Whatever might be the views of particular Members these questions must press themselves on the attention of the great body of the Members of that House. He wished to protest, in the strongest manner, against this being treated as a question between town and country—an idea which was calculated to be productive of a mischief which they must all deprecate. This was a question between real property and other descriptions of property, and it was this that gave the impression of an antagonistic feeling, that the latter kind of property did not bear its share of the burden on account of the difficulty of carrying the law into effect in regard to its assessment. Although the Act of Elizabeth had never been repealed by which, he believed, all property whatever was liable to make contribution to the relief of the poor, real property alone was burdened. A man renting a farm for which he paid, perhaps, £50 a year, would make a bare subsistence, and employ not more than a couple of labourers, while his brother, paying a similar amount for a mere plot of ground in a borough, would have the opportunity of making £500 a year, and of employing, it might be, 100 persons. They could not persuade the farmer of the justice of exempting the stock-in-trade of the tradesman from the rate. Inequalities like these lay at the root of the whole question, and were sure to come to the surface and cause ill-feeling, when, as in the present case, a large transfer of burdens was proposed. As to close parishes that was not a question which he should think of treating at length after it had been so ably discussed by the right hon. Gentleman (Mr. Henley). He (Mr. Liddell) believed there was a large number of close parishes in the southern and midland counties of England, and, in theory, they militated against the free circulation of labour; but in the north of England he had never heard of such an effect being produced. If any hon. Member had passed through that district a few days ago he would have witnessed what were known in that part of the country as "May-day flittings," and probably there the people were, if anything, rather too unsettled in their habits. There was another point of importance to which he wished to advert and which he would put in the shape of a question. He wanted to know what just ground there was for supposing that the adoption of union rating and relieving the parishes of individual responsibility would lead to economical administration. It might be said that the guardians would be the same class of men they are now; but there was an old proverb that "what is every man's business is no man's business," and he was afraid that when individual responsibility was taken away, many of these persons would be very slack in their attendance at the Boards, so that the business would fall into the hands of a few persons, and the result would be extravagant expenditure and neglect of the poor. Of this he was sure, that the more they extended the area of Poor Law administration, the more they relieved the different parishes of their respective responsibility, the more occasions would arise when they would have to call in the aid of the central power. The growth of this central power in every Department of the State was most remarkable. It had grown up under a reformed Parliament, and under successive liberal administrations. He did not deny that many public advantages had arisen from the development of this bureaucratic influence, but its further progress ought to be watched with much caution, if not with considerable jealousy. A too active circulation of the heart was often attended with want of vitality in the members, and that simile might convey his ideas in the present case. As to the Motion before the House, he thought it would have met with favour if it had been proposed at an earlier period, but if it were carried now the measure would be hung up for the rest of the Session. There was a tendency to exaggeration on both sides in these matters, and he should like to see the Government step in as arbiter between the two parties, and give a pledge that it would look into the important matters in dispute and undertake their fair settlement.

MR. CAVE said, he had voted for the Motion of the hon. Member for Northamptonshire because he thought it might have been better to try the effect of the Irremovable Poor Act a little longer before introducing fresh legislation and again altering the relative value of property. The House decided by a large majority in favour of proceeding at once with the Bill, and not being opposed to the principle of union rating he had no intention of offering any further opposition to it. He, therefore, could not support the Member for Norfolk, on Thursday last, but he fully agreed with him that there ought, in many cases, to be a revision of unions, and that pressure ought to be put upon the Poor Law Board to induce them to use the power they undoubtedly possessed more freely in that direction. Some hon. Members appeared to think that unions were compact districts, with the town in the centre, and country parishes all around drawing their labourers from a town and finding a market there. In such cases town and country, doubtless, benefited each other, and the equality of burdens was probably just. But many unions were very different. The one in which he was most interested was a long straggling line some twenty miles in extent, with a poor populous mining district at one end, and at the other a purely rural district, in another county, across a large river badly provided with bridges; and this latter portion was in no way connected with or benefited by the dense population for which it would have to pay. In his own case the change made very little difference, as the land in which he was interested was as scattered as the union, and what was lost in one place was gained in another, so that he believed that this was not so much a question of large landed proprietors as some hon. Members had appeared to think. Again, when they came to the case of large manufacturing towns the area of their rating ought to be extended far beyond the rural parishes in their immediate vicinity, when their sudden and overwhelming paroxysms of pauperism were considered; unless, indeed, the House agreed with the extraordinary argument brought forward with an air of triumph by an hon. Member opposite, who had alluded to Lincoln or Grantham as a proof that the country had no reason to grumble because the manufactories there were of agricultural machinery—an argument which would manifestly apply to stocking weaving or almost anything else. He, however, believed that this Bill would have to be followed by another correcting other anomalies of the present system. He had given notice of an Amendment, or rather a new clause, for the purpose of including mines of every description in the rating. What possible reason could there be for making coal liable to be rated to the poor and exempting all other mines? Perhaps the caprice of legislation never went further than in this case, for by the present system clay or stone was liable to be rated when dug from an open quarry, but when brought up from the bowels of the earth by means of shafts and windlasses it was not rated, because it was then regarded as a mine, and it was not a coal mine. Again, if a landlord was paid—say 1*s*. in the pound royalty on the value of ore, he was not liable, but if the royalty was reserved in a portion of the ore itself, though paid in money, he was liable to be rated. If there was anything which ought to contribute to the relief of the poor it was an iron mine. If, for instance, a small seam of hæmatite iron ore, which seemed to exist in small patches in almost every part of the country, was discovered, it was let to a speculator, who ran up a line of poor miners' hovels, drawing all supplies from the nearest town, because a seam of this kind was rarely worked unless close to a railway; and the usual effects of strikes, stagnation, &c., were felt in the increased rates of the surrounding rural parishes, which this operation injured rather than benefited, and to which it did not contribute one farthing. He believed it was doubtful whether this Amendment could be moved, because it was beyond the scope of the Bill, which was only for the redistribution of burdens, and not for the imposition of fresh ones; but the country would not be satisfied unless a Bill were speedily brought in for the redress of that and similar anomalies, especially if the area of rating did not, as he thought it would not, stop at the limits of the arbitrarily and often badly arranged unions, but would before long be still more extended, and must embrace many descriptions of property now exempt. He was sorry that so much personality had been mixed up with the debate, and that the old fallacies had been repeated about close parishes and pulling down cottages to save rates. Allusion had been made more than once to the close parishes round Louth in Lincolnshire. He knew that country well, and if hon. Members who had referred to it only knew it as well as he did, they would remember that much of that country had only been lately inclosed and cultivated. Until high farming and artificial manures brought the light lands into tillage almost the whole country was a rabbit warren, or sheepwalk like the light lands of Norfolk, and had no more population or cottages sixty years ago than Salisbury Plain. Cottages were now being built to a great extent, but it should be remembered that landowners could not always build cottages, if they would. Cottage building did not pay; but then it was said, and said truly, "You should build a cottage, as you did a stable, for the convenience of those who worked your land, and not as a speculation." He thought this sound doctrine; but if a man succeeded to a life interest in a heavily charged estate, how was he to get the money? Landowners had turned their attention much to this subject. Amid the "shop" which country gentlemen were sometimes accused of talking, nothing was commoner than the mode of building cottages economically and well. When the numbers of cottages at different dates were compared, it should be remembered that the cottage pulled down was a wretched one or two-roomed hovel, while the cottage which was erected in its stead had generally four or five rooms, with staircase and other conveniences, and was infinitely superior to the undrained unhealthy cottages too often run up by speculators in open parishes and the suburbs of towns. No longer ago than 1861 a Bill was brought in by a large landed proprietor, a county Member, on that side of the House (Sir Lawrence Palk), enabling tenants for life to get over this difficulty by charging the *corpus* of the estate for the purpose. A comparison of the debate which took place on that occasion with that which had just taken place would be a curious and instructive study. The Bill was very coldly received by the Government in that House, and was thrown out on the second reading by a supporter of the Government in another place. The hon. Baronet who brought in the Bill gave details of the evils of crowded cottages which could scarcely be exceeded by the sensation Report which had been so much commented upon, and on the 8th of May, 1861, the late Sir George Lewis, the Home Secretary, said, in reference to this subject—

> "He thought the hon. Baronet had somewhat exaggerated the bad condition of labourers' cottages. . . . Certainly his own experience did not coincide with all that had been put forward by the hon. Baronet. . . . It might be said that almost universally there had been efforts made by all solvent proprietors to improve the condition of cottages upon their estates. He did not think that landlords had been governed by any desire to protect themselves against the operation of the law of settlement."—[3 *Hansard*, clxii. 1736.]

Such were the views of one of the most

able and candid men who ever sat in that House, and who, having been a Poor Law Commissioner, was specially competent to form an opinion on the subject. When there were country districts near a market town the labourers often preferred being near their market to near their work. Perhaps it was the wife's convenience in opposition to the husband's in such cases, but he had often heard it said that the extra walk was made up for by the increased convenience. He did not see the use of sending the Bill to a Select Committee. The Bill was naked in its simplicity, and certainly ought to be supplemented by others remedying the inequalities of which he had spoken. A Select Committee might go into those questions if necessary, but as it seemed that even so moderate an addition as the rating of mines could not be made to the Bill he did not see what a Select Committee could do with it, the narrow limited subject with which the Bill dealt having already been pronounced upon by more than one Select Committee of that House. He should, therefore, vote against the Motion of the hon. Member for Whitby.

MR. SCHNEIDER said, that in 1857, when he was examined before the Select Committee, he was opposed to the rating of mines, but the hon. Gentleman the Member for Cornwall, who was a Member of that Committee, was in favour of it. The hon. Member for Cornwall proposed that mines should be rated to their full value, but he was then opposed to their being rated at all. They had since modified their views and approximated towards each other, and he was now of opinion that there ought to be no difference whatever in the rating of mines and quarries. But what he wished to call attention to was the peculiar position in which the mines were placed. Coal mines were rated on every conceivable principle it was possible to imagine. Mr. Joseph Pease was of opinion that, as the *corpus* of the estate was being exhausted in the working of mines, it was practically the royalty or the rent that was paid for them that should form the basis of the rateable value of mines, and not their annual value. The rating of mines ought to form the subject of a separate Bill and after the principle had been affirmed on the second reading it should be referred to a Select Committee to determine fairly between the landlord, tenant, and the parish what ought to be the fair rateable value placed upon that description of property. A principle ought to be laid down which should govern all the proceedings of union assessments in reference to them throughout the country, so as to secure uniformity of practice, and then the principle of rating mines might be successfully and advantageously applied. He supported the Bill before the House, believing it would tend to do justice between parish and parish, to ameliorate the condition of the poor, and give general satisfaction.

MR. SPEAKER said, that he did not like to interrupt the hon. Gentleman when he was speaking. The hon. Member for Shoreham (Mr. Cave) had introduced the question of mines because he had given notice of a clause to that effect; but in a conversation he had with him he pointed out to him that the clause was not relevant to the subject-matter of the Bill, and he would now respectfully point out to the House that to discuss the subject of mines was not relevant to the matter before it.

SIR JOHN TROLLOPE said, he could not help contrasting the different temper and tone of the debate on this stage of the Bill with that which was displayed on its second reading. The discussion on the second reading was in a spirit of good temper, and augured favourably for the result, but the remarks of the right hon. Gentleman the President of the Poor Law Board had changed that feeling. The right hon. Gentleman had charged the opponents of the Bill with having recourse to every species of ingenuity in order to defeat the measure, and that they were obstructing the Bill; whereas all they had done was to express their opinion, as they had a perfect right to do, upon a question in which they were so deeply interested. The introduction of that mysterious Report had compelled them to defend themselves. The right hon. Gentleman told them on a former occasion that there was something coming that would astonish them, and most assuredly it had done so, and it was impossible that those statements should pass without inquiry. The author of the Report—the medical officer of the Privy Council—had published—on the authority of the person he sent out to find cases of a peculiar character for his Report—statements which had created great attention. They denied their accuracy, and they demanded inquiry. As the Report involved charges against the humanity, honour, and good feeling of the gentlemen of England, the Government was bound to grant the Motion of the hon. Member for Whitby (Mr. Thompson). If it were proved that an officer in the employment of Her Majesty's Government had stated that which was fallacious and untrue, it was a matter that still more demanded inquiry by that House. The author of this Report stated the dwellings of the poor to be insufficient, ill-drained, and unhealthful in every respect. The landowners, on the contrary, said that during a great number of years they had built, and were still building, a great number of improved and commodious cottages. They did not presume to deny that some speculators in houses had run up and were building insufficient tenements for the poor, with rooms of a narrow and unwholesome character. He (Sir John Trollope) knew, unfortunately, that to be the case. He could safely say, in regard to his own county, as well as to that of the right hon. Gentleman in the Chair (Mr. Speaker), that though in the parishes alluded to there might be houses of a poor and insufficient class, an improved description of dwellings was being rapidly built. The Inspector having hit a blot, he founded upon it an argument which he applied to the country generally, saying, "Look at the pitiable condition of the labourers throughout the country!" As the hon. Member for Shoreham (Mr. Cave) observed the district of Louth, for example, having been brought into cultivation lately, could now boast of the presence of an excellent class of labourers' cottages, in districts which had previously been a poor soil and a kind of rabbit warren. No charge, then, could be more untrue than that now made against the landowners. It was not the interest of the employers to draw their labourers from a distance, because they knew that if they did so the men would be exhausted by travel and not useful for their work. Her Majesty's Government themselves were the great destroyers of the labourers' dwellings. Under a recent Act of Parliament it appeared that a large number of small houses were to be thrown down in Westminster to build the new Courts of Law, and it was admitted that about 4,000 people would be driven from their dwellings. Did the Government propose to build houses elsewhere for these unfortunate persons? No; the Government would leave them to shift for themselves as best they could. But what a clamour would be raised if any landowner in the agricultural districts were to pull down a tenth part of that number of houses without supplying the occupants with other cottages for their dwellings. And for whom are those new Law Courts to be built? Why they were to become a palace for the lawyers, and the expense of this gigantic structure was to be paid for out of the funds of the poor suitors of the Court of Chancery, as if they had not suffered enough already by their connection with that court. He thought upon all those grounds that the question ought to be adjourned. It must also be recollected that the union assessment valuations were not yet completed. He did not know why, for the Act was passed in 1862; nevertheless, though three years had since expired, those valuations were not completed. The last Return moved for by the right hon. Gentleman was in July, by which it appeared that the valuations of 184 out of 592 unions were still incomplete. He might be told that there was another basis to assess those unions upon—namely, the county rate. But that rate was only assessed at long intervals, especially in rural counties. In some counties there had been no new assessment for twenty years, and therefore it would be necessarily an incomplete assessment for the purpose. That was another reason why this Bill should not be adopted until they had a more accurate basis to go upon. There was another ground on which he opposed the Bill. He thought he knew the habits of the poor. They called their parish their home. A soldier or a sailor in a distant region always looked forward to his own parish as the place in which he desired to end his days. If this Bill passed he would find his home in the union house instead of his parish. As they had been often told, the poor, though old and partially infirm, were unwilling to enter the workhouse. Under the parochial system they were permitted to do a little work, and were not forced into the workhouse. They were paid little for their labour, it was true; nevertheless, the system tended to keep alive in those unfortunate men a feeling of independence, and they felt pleased to go to their own houses rather than to the union house. If, however, by such legislation as was now proposed they broke the tie between the rich and the poor, and drove the latter to the union house, the consequences would be very grave. The present Bill tended more than anything they could devise to break the connection between the employers and those dependent upon them. He thought, then, that time should be taken for consideration before they adopted this great social change; for he could not call it by any other name. If they adopted this measure it was impossible that they could stop within the limits of the union. He saw nothing but a long vista of changes that must follow, to end in a national rate. He deprecated such a change, believing that it must also lead to an extensive system of patronage, place-hunting, jobbery, and corruption. It appeared to him that the House ought to hesitate before they broke up the social system which had so long existed. A national rate, which would be sure to follow the adoption of the present measure, would deprive the ratepayers of all control over the fund, and would plunge the nation into an unlimited expenditure. Those with whom he acted asked only for further time and inquiry, and he submitted that the proposal for such a social change was entitled to the respectful consideration of that House.

Mr. KENDALL said, that as he had been appealed to personally, without discussing a subject which was not immediately before the House, he would venture to express a hope that the House would obtain some expression of opinion from Her Majesty's Government, admitting the principle of rating mines, plantations, and woods, and proposing to deal in some practical manner with that difficult subject. With regard to the general question, he would only observe that, to judge of the efficacy of this Bill, it was necessary to know how common charges have worked from the commencement. Having been Chairman of a large Union, he could explain that their effect upon the Board of Guardians was this—the moment there was a common charge, and a pauper applied for relief, the notion of the guardians—especially if it were near the dinner-time—was how, in haste, to get the man, by hook or by crook, upon the common charge. If they failed to do that, they then began to look into the case and see whether the man was really a pauper or not. If, on the other hand, they succeeded in getting him on the common fund, the guardians immediately gave up all care of the man—he was none of theirs. He thought that the results of the measures would be—first, that the guardians would be careless and would not attend; next, that there would be no security against expense; and thirdly, that the poor rate would increase. And what would be the consequence of that? When all became common charge cases, there would be no scrutiny. If there were not an efficient scrutiny heavy expenses would arise; the vestry would complain of the guardians, and would, on the first opportunity, elect fresh ones, and discontent would generally prevail. The new guardians, elected for a special purpose, would cut down the expenses suddenly, and probably without consideration, and the sufferers by such an act would be the real paupers, while the imposters would obtain a considerable share of the poor rates.

Lord JOHN MANNERS said, his hon. Friend the Member for Shoreham had ended his speech by saying that, inasmuch as he thought this Bill ought to be supplemented by other measures which he indicated, he should vote for it. Now, he must say that his Parliamentary experience led him to think that it was very unwise to follow such a course. He had not heard that it was the intention of the Government to supplement this Bill by measures such as he recommended. On the contrary, they knew from the statement made by the right hon. Gentleman (Mr. C. P. Villiers) that he regarded this measure with unmixed satisfaction. He admitted no injustice to be in it. It was a complete and perfect whole, and his hon. Friend the Member for Shoreham would find himself most grievously disappointed if he assented to this measure in the expectation that in some future Session the right hon. Gentleman would supplement it by those other measures which he thought were absolutely necessary to render it just and fair. He should have thought that a measure of this great importance, and one which would effect an absolute social revolution, as his hon. Friend behind him had justly observed, would not be pressed so urgently upon the House unless it had the almost general support of those whom it would more particularly affect, and who had representatives sitting on both sides of the House. He should have thought that it would not have been pressed upon the House unless it was supported by the general intelligence of the country at large. Looking, however, to the petitions presented to that House, he believed the great majority of them were adverse to the measure. The debate, too, which had occurred, must have proved the fact that a great difference of opinion as to the merits of the measure existed in the minds of those most competent from their experience and knowledge to form a judgment upon the subject. And on what grounds was it recommended? Hon. Members talked of gentlemen connected with the agricultural districts shovel out the poor; and that there was a necessity to relieve the poor by placing some further charge upon the rich. Who were the poor and who were the rich? There was some declamation on the part of those who supported the measure, and hon. Members were told in unmistakable language that this was a measure which would relieve the towns at the expense of the rural districts. Taking the two statements together, was it intended that the poor were to be taken as synonymous with the towns and the rich with the rural districts? This was to him (Lord John Manners) a new reading; he had read the Parliamentary Returns on income and property tax, and was he now to be told in 1865 that the wealth of the country resided in the rural districts and the poverty in the towns? But some hon. Members had gone further, and said that this was a Bill for a rate in aid of the towns to be imposed on the rural districts; and if it were to be a rate in aid it must be on the principle that the rural districts were richer than the towns, and to be justified on account of the benefits conferred by the towns on the districts surrounding them. ["Hear!"] Hon. Members opposite said "Hear, hear;" but had it never occurred to them that if the rural districts were benefited by the proximity of the towns, the towns also were benefited by the proximity of the rural districts? The tradesmen in an ordinary English town would acknowledge that the market day on which the people of the country came into town was the most lucrative day throughout the week; but the argument on the other side was that the towns benefited the rural districts to a greater extent than the rural districts benefited the towns—and this assertion hon. Gentlemen in opposition to the Bill were called upon to controvert and disprove. He thought, therefore, there were good grounds for demanding an inquiry into the whole of the question. But how was this Bill introduced; and how was it substantially supported? They were told that the Bill was in the interest of the poor because the landowners were in the habit of demolishing the cottages of the poor and driving them into close parishes and towns. But even if it were proved that the landowners were acting on these bad principles, how would the Bill, on its becoming law, remedy the abuse? The statement was not true, and the right hon. Member for Oxfordshire (Mr. Henley) had demonstrated that the report on which the right hon. Gentleman the President of the Poor Law Board (Mr. C. P. Villiers) relied, was a tissue of fabrication, false logic, and erroneous statistics from beginning to end. His right hon. Friend had demolished that report, and not one word had since been heard in vindication of this extraordinary Government production. But he would call attention to what might be considered the supplement of that report. It might be remembered that it was brought forward as a startling fact that there were 821 rural parishes in which the population had increased, and cottage accommodation had decreased between 1851 and 1861. Upon the Motion of his hon. Friend the hon. Member for Worcestershire (Mr. Knight), a Return in full was given of those rural parishes. It was very dry going through statistics, but when it was asserted that there was a great cottage destruction going on, and the assertion was based on these statistics, it was only just that hon. Members should examine into the validity of the statement, and see whether a social revolution could be based on these statistics. The Return was headed as a document showing the number of inhabitants and houses in each of the 821 agricultural parishes mentioned between 1851 and 1861, and the charge was that the population in those parishes had increased and the house accommodation decreased within those ten years. He would go through the Return page by page, giving a summary of each, and he thought he would be able to show that that charge was not justified by facts. The first page gave the Returns for Bedfordshire, Berkshire, Buckinghamshire, and Cambridgeshire. It appeared from the Return that one parish in Buckinghamshire had the same number of inhabited houses in 1861 as it had in 1851; two in Berkshire had an increase of house accommodation, and another had equal house accommodation. In Buckinghamshire there was one parish in which the houses had increased, and there were two in which the houses were equal. In Cambridgeshire there was an increase of houses in one parish. Thus of the 27 parishes given on the first page of the Return, as increasing in population and diminishing in houses, 8 had increased or remained stationary in house accommodation. The next page gave the Returns for Cheshire, Cornwall, and part of Cumberland, and there were 16 parishes in which the houses had increased instead of diminished, and 5 in which they had remained stationary. Thus out of 43 parishes in that page, which professed to show a decrease of house accommodation, there were 21 which had increased or remained stationary. In the third page, which gave the Returns for the remainder of Cumberland, for Derbyshire, and part of Devonshire, out of 36 parishes given as showing a decrease of house accommodation, there were 15 in which the houses either increased or remained stationary. The next page, which contained the remainder of Devonshire, the whole of Dorsetshire, and part of Durham, out of 45 parishes given to show a decrease of house accommodation, 21 parishes had increased or remained stationary. The next page, which contained the parishes of the remainder of Durham, the entire of Essex, and part of Gloucestershire, out of 31 parishes 10 showed an absolute increase. The next page, which gave the Returns for the remainder of Gloucestershire and the entire of Herefordshire, out of 45 parishes 12 showed an increased and 2 a stationary house accommodation. Out of 35 parishes on the next page, which gave the Return for Hertfordshire, Huntingdonshire, Kent, and part of Lancashire, 8 showed an increase and 6 remained stationary. In the next, which gave the Return of the rest of Lancashire, and the whole of Leicestershire, of the agricultural parishes which had decreased in houses for ten years, there appeared the parish of Radcliff which showed an absolute increase of 560 houses during that time. Taking the next page, which included the county with which he himself was best acquainted (Leicestershire), he found that there were 14 parishes in which cottage accommodation had increased, while in seven it was stationary, thus giving 21 out of 43 parishes. What reliance, then, could be placed on statistics thus framed? In the 36 parishes for Lincolnshire, given in the 10th page of the Return, 5 showed an increase and 4 remained stationary. Of the 43 parishes an the 11th page, for part of Lincolnshire, Monmouthshire, Norfolk, and Northamptonshire, 13 showed an increased or stationary house accommodation. Out of 36 parishes in Northumberland, given in the 12th page, 14 had increased or were stationary; and of the 41 on the 13th page for the remainder of Northumberland, Nottinghamshire, and part of Oxfordshire 12 had increased or remained stationary. The 14th page of the Return showed that of the 33 parishes in the remainder of Oxfordshire, in Rutland, and Shropshire, given as having decreased in house accommodation, 10 had increased or remained stationary in the number of their houses. Of 48 parishes in Somersetshire 25 had increased and 5 remained stationary. The 16th page showed that of 32 parishes in the remainder of Somersetshire, in Southampton, Staffordshire, and part of Suffolk, given as showing a decrease of inhabited houses, 8 had increased or remained stationary. Of the 44 parishes given in the remainder of Suffolk, in Surrey, and Sussex, 9 had increased and 6 remained stationary. Of the 32 parishes in Warwickshire, Westmoreland, and part of Wiltshire, 7 had increased or remained stationary; and the 19th page showed in like manner that of 40 parishes in the remainder of Wiltshire, in Worcestershire, and part of the West Riding of Yorkshire, 13 had increased or showed a stationary house accommodation. The 20th page showed that of the 34 parishes of Yorkshire there given, 12 had increased or remained stationary; and of the 45 parishes given on page 21 there had increased in houses or remained stationary 12. He now came to the last page of all ["Hear!" *from the Ministerial side.*] He was not surprised at hon. Gentlemen opposite cheering when they found he had come to the last page. If he had had to pursue that dreary catalogue of Government misinformation at some length the responsibility was not his, for, surely, when a measure of that importance was brought forward upon fallacious statistics it was desirable that those statistics should not pass unchallenged. In the last page he found 13 parishes in which the house accommodation had increased, and three in which it had remained stationary. The total number of parishes given in that page was 37; of which no fewer than 16 showed either an increase of houses during these 10 years, or that the houses had not decreased. The paper he was quoting purported to be a Return of 821 agricultural parishes, which the right hon. Gentleman in introducing that measure assured them, on his own official knowledge, would exhibit a decrease of House accommodation coupled with an increase of population; whereas it would be found that in no less than 290 of those 821 parishes the number of houses had actually either increased or remained stationary. Had the right hon. Gentleman gone through these figures? If he had, he would agree with him that in these 290 parishes the number of houses, instead of diminishing, had been augmented by 1,493. After the exposures made by the right hon. Member for Oxfordshire and the details which he had himself just given the House must see that it had not been fairly treated in respect to the information on which the President of the Poor Law Board based his great scheme for the redistribution of local burdens, and that it had every right to demand a fuller and more perfect investigation into every fact and figure adduced in support of that scheme. The hon. Member for Shoreham had spoken of the necessity of supplementing that measure, if it ever became law, with a revision of unions, and they had been told by the right hon. Gentleman that he had ample power for effecting such a revision. But with the frankness which characterized him the right hon. Gentleman avowed that he would never enter upon that task. Therefore, to pass a measure for the redistribution of local burdens and for raising a rate in aid of towns at the expense of the country, in the vague hope that at some time or other the gentlemen of Cornwall would consent to mines being assessed, or in the equally vague expectation that the right hon. Gentlemen would do what he had fairly warned them he would not do — namely, revise the unions, was one of the most futile courses that could be proposed to a deliberative Assembly. The question now before them was whether that Bill should be referred to a Select Committee, in order that these worthless statistics might either be still further probed and exposed, or, if that were possible, set up again. He ventured to say that such a case for inquiry had been made out that night as had never yet been submitted to Parliament in vain. And if in the face of that exposure the Government persevered in their attempt to press the measure against the feelings, opinions, and convictions of a body of Members in the House representing that large class of people out of doors whose interests were, as they said, unfairly dealt with, without giving them any opportunity of testing the accuracy of the information on which the Bill was first submitted and still recommended to their notice; they must be prepared for an opposition to which the quiet, peaceful, and most decorous discussion they had had would be as nothing. There were many other reasons that would induce him to support the Amendment for referring that measure to a Select Committee, but he thought the observations which he had made would fully justify him in their determination to vote for that proposition.

Mr. C. P. VILLIERS: Sir, if we could admit the premisses of the noble Lord who has just spoken—if we could admit all the grounds upon which he bases the conclusions at which he has arrived—I think our course would be easy, and we might accede to the suggestion that we should abandon this Bill, or, what is the same thing, accede to the proposal for sending it to a Committee upstairs. The noble Lord (Lord John Manners) like the right hon. Member for Oxfordshire (Mr. Henley) sees the difficulty of his case. He sees that this is no ordinary question, that this is a Bill brought in upon information of a very extended character and supported by authority of no ordinary kind. And they feel that they must get rid of that—they must change the issue, they must shuffle the pack, they must try and divert attention from what is the real ground of this measure, and from the true reason why it is introduced. So, the right hon. Member for Oxfordshire first, and the noble Lord afterwards, fasten upon some statistics that were incidentally referred to in bringing in this Bill, and they assert what they do not prove. The noble Lord and the right hon. Gentleman are arguing this Bill upon some imperfections or defects in certain statistics which have been introduced since this Bill was brought in, and which they allege are unfounded. They allege, further, that I have rested this measure on those statistics. Now, I say they have no ground whatever for that assertion. I introduced the Bill, Sir, upon the recommendation of a Committee of this House which had sat for three years inquiring into the operation of the Poor Law and its general administration. The hon. Member for Worcestershire (Mr. Knight) knew that the inquiry was to take place into this matter, and I believe he wished to be upon that Committee on that account. The inquiry was, as I have stated, instituted into the general operation of the Poor Law, and among other points that most important one of the rating of property, for the maintenance of the poor, became the subject of our investigation. But, Sir, those hon. Members who have seized upon what they call this imperfect statistical report know perfectly well that the disclosures which it makes were no novel matters even before that Committee. They know—and nobody knows better than the right hon. Member for Oxfordshire—that it has been for thirty-one years before the House, that it has been a constant subject of discussion, and a constant object of resistance by persons who are circumstanced as the right hon. Member for Oxfordshire has acknowledged himself to be. I should be the last man to inquire into the motives of hon. Members for taking the course they do in this House. But the right hon. Member for Oxfordshire has told us that he is one of that class of proprietors who own close parishes, who are therefore interested in this matter, who represent the party which has resisted for thirty years past, and for obvious interests of its own, the measure that I have proposed, and who, in the opinion of the Committee, ought now to yield to the weight of evidence and authority, for that their interests can no longer be protected, but that the interests of the community must be in future considered. The right hon. Gentleman knows that I am entitled to give this character to the measure, from the various reports that have been made by Committees of the House, and the great authority that exists in favour of this Bill. I beg now to repeat, what I have stated already before—in consequence of the desire manifested by hon. Gentlemen to throw it in the back ground, and induce hon. Members to forget it—that this is a measure which was proposed by the original projectors of the New Poor Law [Sir WILLIAM MILES: Hear!] who never had any doubt that it was essential to the successful operation of that law. I do not know why the hon. Baronet cheers as he does, but it is the undoubted fact that the original promoters of the New Poor Law believed that a union rating was indispensable to the right working of the measure which established union administration. [Sir WILLIAM MILES: The Commissioners of Inquiry.] The hon. Baronet, then, knows it well, and does not, I presume, intend to dispute it. It has never ceased to be a subject of solicitude on the part of those who supported the New Poor Law, that that object should be carried out; for they thought that while each parish was left to indulge its own fancy as to how it could shift the poor off, which they were bound to support, to another parish, the New Poor Law would never have a fair trial. That has been asserted by the most eminent men in this House, who occupied themselves with the subject, and they all endeavoured, and endeavoured in vain, to complete the New Poor Law by the establishment of the system I now refer to. Sir James Graham and Sir George Lewis tried to carry out the scheme, and that valuable public servant, Sir George Nichols, with Sir Edmund Head, never ceased to urge its adoption. We have therefore not only the authority of the Committee of 1864, but of the Committee of 1847, and of the Commissioners of 1834 for this very measure. The noble Lord appears, however, to argue that this Bill ought not to be carried, because he thinks, with regard to 290 parishes out of 821, some errors have been detected in Dr. Hunter's report upon the rural habitations of the poor, made in no connection whatever with this measure. The proposal to send the Bill to a Select Committee in the middle of May can have no other purpose than to cast out the Bill for the present Session. No doubt hon. Members who dislike the Bill, and hope to throw it out, are perfectly right in taking this course, and a conversation which I heard makes me think so. An hon. Member observed to another that he had better support the measure, because the country desired it, and would have it next year, if they did not have it in the present. The reply was, "I do not think so: we got rid of Baines' Bill ten years ago, and if we get rid of this, another ten years will elapse before it is proposed again." I think that was a very wise observation; and I am quite sure that if people knew the trouble, annoyance and bother experienced in endeavouring to pass Bills of this kind, it would be a reasonable expectation on their part that, in case the present Bill were defeated, ten years would elapse before it would again be submitted to this House. Observe the various objects which this inquiry is supposed to hold in view. The hon. Member who proposed the Select Committee (Mr. Thompson) wants it for the purpose of inquiring into the incidence of taxation with the view of transferring some of the burdens to the Consolidated Fund. The hon. Member for Devonport (Mr. Ferrand), who seconded the Motion for the Select Committee, wanted the Committee for the purpose of making known the maladministration of the Poor Law, and the misapplication of the rates in the north of England, with the view, I suppose, of showing what a favourable opportunity it is to cast the support of the poor on the Consolidated Fund, where he expects similar maladministration would never exist. The hon. Member for Worcestershire (Mr. Knight) wants to go into Committee because he is ready to show that we have hitherto mistaken the area of charge—it was either too small or too large—and the new principle which he is ready to explain to the Select Committee is the area of natural charity. That undoubtedly is a new area, and at least will not be the parochial system. The most direct Motion probably was that made by the hon. Member for Northamptonshire (Sir Rainald Knightly) who proposed that the Bill should not be considered this year, as hon. Members were ignorant of the operation of the Irremovability Act which had existed for three years. The House could not agree to that Motion, for if it had it would have confessed itself more ignorant than most of the old women in the parishes throughout the country. The course, however, proposed by the hon. Member was, at any rate, intelligible. The fact is that this is a very old story, and the question involved in it is rather too old to admit of its being treated in this manner. It is the question of whether the parochial system ought to continue as it has done. It has been constantly in agitation since 1832, indeed, I may say, for more than a century and a quarter, and its evils are perfectly well understood. It is now said that the practice of pulling down cottages used to exist, but that in the present days it has ceased. Now, the evidence of Dr. Hunter's report is merely to show that—that which was known to exist before, which was proved to exist in 1847—and by the Commission sent throughout the country in 1851—existed still in 1864, and there has not been a single thing stated, certainly not by the right hon. Member for Oxfordshire, to show that it does not continue now. What the right hon. Gentleman was trying to do was to show that somebody was wrong in something he had said; that Dr. Hunter had not been accurate in every respect; but the right hon. Member for Oxfordshire, who has great courage in making his statements when he thinks he is right, has not said to-night that there is no such thing as getting the poor out of the parishes to prevent them being chargeable, or that that is not the sort of principle acted upon in his neighbourhood as well as in other places. [Mr. HENLEY: I have said it, and I say it again.] I am very sorry, then, that the right hon. Gentleman has said it, for I don't believe that there are many who will agree with him. There are certain persons generally referred to by hon. Gentlemen opposite as being great authorities when subjects of this nature are discussed, and, I should like to know how it was that those hon. Members have never in the course of the discussion mentioned what the farmers think and what the poor say on this matter. I listened to the speech of the right hon. Member for Oxfordshire for the purpose of hearing what he would say about the farmers. I thought he would have told us that the occupiers of land, the employers of labour, and the labourers themselves were dead against this measure; but, curiously enough, the right hon. Gentleman on this occasion has never alluded to the farmers. The inference to be drawn from his silence in this respect is that the right hon. Gentleman knows that the farmers are against him. I should be sorry to see the farmers and landed proprietors against one another. But it is a rather remarkable thing, considering how often hon. Gentlemen opposite speak of the farmers, and how exclusively they profess to represent them, that upon this subject they have not said a single word in their behalf. But the farmers themselves lost no time in making known their opinion. Two days after I introduced this measure, so injurious to agriculture, so hurtful to the labourer, so utterly destructive of property as it is said to be in this House, the farmers met in their society—the Farmers' Club in Blackfriars Road. Now, I remember that they used to be very much against the repeal of the Corn Laws; but with respect to this subject they have said that it might be inferred from the tone adopted by some proprietors that the farmers were hostile to the measure, but the contrary was the case. The subject had continually come under the consideration of the members of the club, and they had decided invariably by a large majority, if not unanimously, in favour of union rating. They had formerly, in 1847, been of opinion that the law of settlement should be totally abolished, and relief administered in districts so large as not to continue any restriction upon the agricultural labour markets or afford any motive to influence the choice of labourers by the chance of diminishing any share of union chargeability. In March, 1850, however, a resolution was adopted by them that the extension of settlement to unions instead of parishes would be highly beneficial. In 1856, at a meeting called to consider the condition of the agricultural labourer, there was a general expression of opinion in favour of abolishing parochial settlement. And, again, they lately passed a resolution to the effect that they fully concurred with Mr. Walter in the belief that there was not a farmer in the country who had not formed his opinion on the subject, and that it was not upon the part of the farmers generally that they found any objection raised to this measure; on the contrary, the agriculturists generally, had long been endeavouring to obtain that extension of the area of settlement now about to be granted. For about eighteen years, then, the farmers have been trying to get a measure of this kind; they know their own interest; they do not conceal it, and, perhaps, that is the reason why their interest is concealed to-night. The farmers have one interest; the right hon. Gentleman the Member for Oxfordshire represents another. The farmers, it may be said, are decidedly in favour of this measure. [*Opposition cries of* "No, no!"] Yes; your crying "No" is no answer to what they have said themselves. They know perfectly well the burdens of the parochial system, that they are obliged frequently to employ people whom they do not want, worthless persons, and that if this measure were passed they might select the best men, as every one would and ought to do. That is the advantage of the Bill to farmers. And then, as for the labourers, you have not said one word to prove that they are benefited by the present system. It is not necessary to depend on Dr. Hunter's evidence to prove the overcrowding of the labourers in towns and villages in consequence of the pulling down of cottages in the parishes owned by proprietors. ["Oh, oh!"] The hon. Member for Leicestershire (Mr. Packe) cries "Oh!" but he let the cat out of the bag to-night, for he said that he had two interests with respect to this measure—in one case it would be highly beneficial, to the other it would not. Well, it is possible that he has, after striking a balance, discovered on which side his interest prevails, but I expect that what he means by its answering well is that he has in some places more than his share of rate now to pay, because some neighbour has less to pay than he ought; in fact, that he has property where this measure would do him justice, and that he has got other property, where by his paying more in future than he does now, he would do justice to some neighbour in the same way, so that what he has told us just shows that this measure will in different places benefit landlords, tenants, and labourers. But I cannot quite leave this question of the farmers without calling the attention of the House to further evidence on the part of the farmers. An inquiry was instituted in the House of Lords a few years ago, and they very properly called farmers before them, persons competent to speak on this matter, and they gave exactly the same kind of evidence as that which I have already quoted. The Committee were told that—

> "At a meeting of the Tenant Farmers' Club, in March, 1847, it was resolved unanimously:—"That it is the opinion of the members of the Committee present that parochial settlement should be abolished, and that the system of arrangement by which relief to the poor be administered should be extended to the utmost practical limit."

They were not afraid then to say that they were against the parochial system. This was also a question raised in the House of Lords upon an inquiry into the burdens which pressed upon real property in 1846. The following is an extract from their Report:—

> "The evidence accompanying this Report is pregnant with proof that the employment of unprofitable labour would constitute an important addition to such returns. In order to reduce the poor rates the farmers in many parishes employ more hands than the economical working of the land requires. Mr. Robert Smith explains this system, and Mr. Baker estimates this additional outlay on his farm at £3 per week on 500 acres. The actual sum levied in the name of the poor rate does not therefore correctly represent the full amount of the charge imposed upon real property by the laws regarding the maintenance of the poor."

I will now read some extracts from the evidence taken. Mr. W. Foote, an attorney at Swindon, said—

> "He considered that the present law of settlement operated unfavourably upon the farmer in diminishing his supply of labour. He had had a good deal of conversation with farmers in that respect. He knew from his own experience that

it led to the crowding of the labourers into particular parishes to the exoneration of other parishes. The present law operates against the employment of free labour and against the employment of the best labour."

Then there is a person of whom we have all heard, a highly respectable authority, and a man who was thoroughly conversant with life in the agricultural parishes, I mean the Rev. Alfred Huxtable, rector of Sutton Waldron, Dorsetshire. He said—

> "I have talked with men in the parish, and they have said to me, 'You may as well give me work (that is the bad workmen who are rejected by the farmers) as keep me; you must do one or the other.' That is the common feeling. I do not mean with the well-disposed, but there will always be in the parish idle men who will want to get their subsistence as lightly as possible. I could name four men who would fairly come under this description. It is most annoying. I have some men—really very superior men, drill-men and others of that kind. The farmers of the parish will not give those a higher rate of wages, because they find they have to employ so many men. The case is this:—In my parish there is always a certain amount of work to be done, which must be distributed alike among all the labourers. If a few did a much greater quantity of work, and thereby earned higher wages, there would be so much less employment for the rest, so that there is really no encouragement for the superior labourer in the parish, nor can he carry his skill to another market, where there is no fit residence for him, and no provision in sickness and old age under the present system."

Then there is the evidence of the Rev. Sir Arthur Henniker, incumbent of Thornham, Suffolk, and formerly chairman of the Hartismere Union. He says—

> "I know of places in one of the eastern counties in which I find that when I visit them from time to time, the cottages are very fast diminishing, and when I have made inquiries about it, from curiosity rather than anything else, I have been informed that the village was supposed to look prettier with fewer cottages, and that the labouring class of people came from the adjoining parish. Witness stated that he saw that this evil was increasing in Suffolk, and he felt it his duty, as Chairman of the Quarter Sessions, to comment upon it publicly. There was a very full bench of magistrates that day, and not a single magistrate afterwards made the slightest observation, either to contradict or find fault with the Chairman's remark; the fact, indeed, could not be denied."

Well, things were denied, or not believed, notwithstanding much more evidence of the kind given both in this and the other House of Parliament. But I say there is abundance of important evidence at this moment that prove the same results from the same system, and the reason why I referred to Dr. Hunter's report was that I found him in 1864 confirming the facts which all authority had previously established. I beg to say distinctly that I do not distrust Dr. Hunter's report. I believe it to be a very valuable one. Substantially I have not a doubt of its correctness. You have attempted to do so in a few cases; but you must wait to hear his answer. The right hon. Gentleman the Member for Oxfordshire has made insinuations and cast imputations, as if I had insidiously introduced this report, and quoted it as the authority for my measure. But I deny that. I say it again, whether hon. Gentlemen opposite believe it or not. I never heard of that report until after my measure was prepared, and until within a day or two before I introduced it; and I merely mentioned the fact in introducing it. Immediately on receiving the report I directed it to be sent to the Inspectors of all the districts, with instructions for them to test its correctness, and inquire whether it was an over-statement, or the contrary. My information is that it is an under-statement of the facts — that there may be inaccuracies in some of the details, but that substantially what is alleged in the report to exist may be found to a greater extent than is there alleged. One of the Inspectors, Mr. Weale, replying to my letter directing him to inquire into this subject, sends me a report which he made upon the same subject in 1849 or 1850, and which I think in the volume published by the hon. Member for Worcestershire (Mr. Knight) is characterized as the only honest report. He quotes this and then he says—

> "Being desirous of furnishing you with more recent information than that contained in the reports above referred to (although I believe they still represent with tolerable accuracy the present condition of those counties) as to cottage accommodation, and as the neighbourhood of my own residence in Bedfordshire is rather conspicuous in Dr. Hunter's report, I determined on inspecting some of the dwellings of labourers in this and the adjacent parishes. Accompanied by the medical officer, I visited several parts of this town, and the result of my inspection satisfied me that Dr. Hunter's report is not at all exaggerated; some of the dwellings I visited are more deplorable than those he reports on. I read over to the medical officer of Potten, a small town in the Biggleswade Union, Dr. Hunter's report on that town, and he assured me that the statements were not beyond the strict truth, and he also confirmed Dr. Hunter's statement as to Dunton, Eyeworth, Wrestlingworth, and other neighbouring villages. I drove through these villages and inspected several of the cottages, and my own observations lead me also to the same conclusions. As Dr. Hunter has given in his report consider-

able prominence to the village of Sutton, by a remark as to the original grant of that manor to the ancestors of the present proprietor, I determined to visit it, and as I have a slight acquaintance with Sir John Burgoyne I called on him and showed him the report, and told him that I purposed visiting some of the cottages for the purpose of ascertaining the correctness of Dr. Hunter's statements, and he offered to accompany me in my visits, at the same time observing that he was not aware of the overcrowding to such an extent as was reported. We visited thirteen cottages, several being the same that had been reported on by Dr. Hunter, and at the conclusion of our inspection Sir John agreed with me in opinion that Dr. Hunter's statements were fully borne out. In the cottage, No. 10, described by Dr. Hunter as 'the Agapemone,' [*A laugh.*] four children have died from fever since his visit. Dr. Hunter speaks of two distinct families as the occupants of this house; it is only right I should state that the two families are—a widowed mother, as representing one family, and her son with a wife and children the other. The parish of Sutton comprises about 2,600 acres, and in it there are forty-six cottages; forty-three of these are occupied by labouring men. There are not more than five or six of these cottages with two bedrooms, and in those of this class that I visited the rooms were only divided a part of the way to the ceiling by a very rude partition. In no instance did I find two families unconnected by the nearest relationship living in the same house, and Sir John Burgoyne and his agent told me that with their knowledge or sanction lodgers were not allowed to be taken in. All the cottages I visited were ill-constructed and built in the commonest and cheapest way; they were mostly old, the bedrooms generally ceiled to the roof, and it did not surprise me to find them (crowded at nights as they are, and without any further ventilation than that afforded by a window, not far above the floor) close and offensive. Sir John Burgoyne told me that he had not been in possession of the estate many years; that on succeeding to it there was no house on it, the old mansion having been burnt down several years previous. He added that if tenants for life could charge the estate with the expenses incurred in building and improving cottages, as for drainage and similar improvements, it might operate as an inducement for them to do so."

That, I think, is something like evidence in support of Dr. Hunter's report; and I have not the least doubt that if further inquiry were made, and if the Inspectors had the good fortune to find landed proprietors as candid as Sir John Burgoyne, they would report that the same state of facts existed. But I cannot allow hon. Gentlemen opposite to ride off on the statement that the facts alleged in favour of an alteration in the present system are entirely based on Dr. Hunter's report, and that therefore in the middle of May you are to appoint a Committee which is to burke and postpone altogether the consideration of this measure. There is much other evidence upon this matter, and among the rest I cannot help reading an address lately made by a Chairman of Quarter Sessions on this subject. Persons in his position are very likely to know what is the real state of the case in these country districts, and as the statement is that of an honourable conscientious man urging what he believes to be the truth concerning the question, his statement is worthy of attention. The gentleman is the Hon. and Rev. Mr. Talbot, Chairman of Quarter Sessions in Staffordshire, who since the introduction of this Bill has made an address respecting it, in the course of which he says—

> "As a ratepayer in a rural parish, he thought it a very hard thing that his rates were to be increased one-half by the proposed measure, when he had not a single pauper in his parish, and had not had one for years. Consequently, he should have to pay a very large sum to relieve the rest of the union. Personally, therefore, he had very strong motives for opposing the Bill. But he felt it his duty to look at the matter from a wider point of view. It was urged that the measure would have the effect of encouraging landowners and farmers to build cottages for their workmen near the place of their employment, and, believing this would be the case, he should support it. He had frequently observed that when a man who lived near his work came to be about fifty or sixty he was still fresh and active, while a man who had to walk daily two miles to and from his employment was worn out by the time he attained that age. He had observed this again and again. He had been a large employer of labour, and he always found that the men who lived near their work preserved their strength for many years longer than those who resided two or three miles from it. He believed that the proposed change would be beneficial to the poor."

I come now to the statement of a Member whose retirement was regretted by the whole House. He was one of those country gentlemen who filled us with hope that that party would keep pace with the progress of the country. He was a liberal-minded man, and had the courage to give expression to his views. I allude to the late Mr. Ker Seymer. Many Members now in this House may remember the "set" that was made against the Bill for abolishing the existing law of settlement by the late Mr. Baines when it was brought in. It was declared to be full of dangerous principles—that it involved union chargeability, union rating, and all sorts of other bad things, and evils without end were predicted from it. But after several speeches to this effect had been made from his own side of the House, Mr. Ker Seymer rose and said—

> "The parochial system for Church purposes was invaluable, but it did not follow from that

> that it was equally good for affording relief. The clergyman or the squire, or the squire's lady, did not ask a man about settlement when they were giving relief. That was solely reserved for the overseers. He would go further, and say that the tendency of the parochial system was to pervert the best feelings of their nature. In his part of the country, where coals were comparatively dear, a subscription had been entered into to supply the poor with coals, but some persons threatened to withdraw their subscriptions if they were given to unsettled poor; and those who acted thus were by no means hard-hearted men. He believed that, in consequence of the present law, for one man who left his settlement and was returned to it a pauper, 100 were prevented leaving home in search of work. . . . At present, in confined parishes, the employer could make little distinction between the labourer of good character and the labourer of indifferent character; he must employ him without asking many questions. . . . He believed that the effect of the alteration of the law would be to make the whole Board of Guardians more careful with respect to the cases of relief that came before them. He saw no reason for the supposition that the present alteration would ultimately lead to a national rate."—[3 *Hansard*, cxxxi. 1288.]

That was Mr. Ker Seymer's opinion, and it deservedly had authority in this House; but he would not refer more to the opinion of individuals; he would point to another consequence of the system, in its effect on the physical condition of the labourer. It was suggested to me that I should apply to the Registrar General for a Return of the mortality among different classes of people in the union, with a view to ascertain the duration of life among these classes, and to judge of the effect upon life of the mode in which the agricultural labourers lived. Two unions were suggested by way of experiment. I did not select them myself, but they were suggested by one who is well known to have taken a great interest in all these matters. One is the union of Thame and the other of Reading. I will read the observation made upon the return by a competent authority.

> "The evils of overcrowding in the production of disease are known to be as great in ordinary dwellings as those of bad drainage. Houses have been drained, but the medical officers report constantly that the gain from good drainage is counteracted by the bad effects of overcrowding. This renders the inhabitants more liable to epidemics. To test Dr. Hunter's report, some Returns have been got from the Registrar General as to the mortality in the Reading and Thame unions. Last year was a year of epidemic disease, which visits the well-to-do class more severely than the others, but the Returns show that the ratio per cent of deaths from diseases of the zymotic class were just double among the labourers, being, in the one case 16, as against 9 of the upper class in the Thame union. Reading shows 17 per cent among the labouring classes, against 9 per cent in the upper classes. A greater amount of premature mortality is shown among the labourers than any other class. Average age of labouring class, 29; professional people and gentry, 55."

[Some Members suggested "that this was a town union."] I do not think Thame can be called a town union, but the results in figures show the same proportions. Bearing in mind the great physical evils to which poor people are always submitted we cannot fail to consider these extremely shocking, when, according to the concurrent testimony of all who are competent to form an opinion on the subject, these evils seem necessarily to result from the fact that being prevented from procuring a residence in the close villages in the neighbourhood of which their labour is required they are compelled to resort to the open one where the rents being very high they are forced to crowd together in order to procure any habitations at all. It is idle, therefore, to say that the health and well being of the people are not mixed up with this question of parochial settlement, and it will be now for the House to say whether the existing state of things shall continue. I am very sorry for the opinion at which the right hon. Gentleman opposite has arrived. He does not see this matter in the same light as others, for he does not think if we would leave it alone that there is anything the matter. And he called it a cock-and-bull story to say that people were driven into villages and overcrowded—

Mr. HENLEY: I never said they were not crowded. I spoke strongly to the contrary.

Mr. C. P. VILLIERS: I understood from the right hon. Gentleman that it was a cock-and-bull story about people being crowded.

Mr. HENLEY: That it was a cock-and-bull story about houses being demolished.

Mr. C. P. VILLIERS: Then, what is the fact? Are there cottages enough or not for the poor? Have the houses kept up in proportion to the population, or have they not? Everybody seems to be wrong about this matter except the right hon. Gentleman; but if you choose to inquire into this matter fully—[*Loud cheers from the Opposition Benches*]—yes; but you will find that inquiry into the incidence of rating will not include inquiry into the cottage accommodation of the people. That may be ascertained before going to a Select Committee at this time of the Session. This should not be viewed as a party matter. I am not disposed to classify opinion upon this subject in that way at all. There are persons, I know, who own close parishes, and contend that no evil or injustice is involved in their continuance; and there are others who take an impartial, and perhaps a right view, who come to another conclusion. But in order to show that there really is no foundation for the suggestions made in some quarters that this Bill has been brought forward for party purposes or for electioneering purposes, as I have even heard it suggested, and as a proposal calculated to favour the interests of towns, I will read to the right hon. Gentleman who cheers as if he thinks there may be something plausible in such insinuations, an extract from an organ which is in conformity with his own views, and which the hon. Member for Leicestershire (Mr. Packe), I have no doubt, would be prepared to regard with favour. In commenting on the character of this measure, this paper, which is a thoroughly Conservative journal, the *Manchester Courier*, referring to some place named in the report, says—

> "In the fourteen bedrooms slept thirty-four adults and thirty-three children. At Langtoft, in Lincolnshire, a similar story was told—twelve bedrooms to accommodate thirty-six adults and thirty-eight children—and in hundreds of parishes all over the country the same cry of insufficient accommodation was everywhere raised. . . . The results of all this neglect are two-fold. Morally and physically the labouring classes suffer bitterly. The overcrowding inevitably destroys all feeling of shame, and injures the very sources of morality. Dr. Hunter can only hint at some of the evils which result from the system, and his report is not written for people of delicate organization, who are afraid to look the evil in the face. It will, therefore, be enough to say here that the evils to which he refers are such as strike at the root of all national morality and religion. The worst crimes become through this overcrowding not only possible but more than probable, and since nature cannot be outraged with impunity, physical evils follow with swift steps. Hence these overcrowded cottages become nests, not merely of all kinds of moral disease, but of every species of physical malady also. From them and from the neglect of all sanitary conditions, fevers of the most aggravated type are bred. An epidemic springing from similar causes is making its way over the Continent. If it at once reach this country it will find its house 'empty, sweet, and garnished.' What the final result will be it is now impossible to predict. That it will, however, be anything less than the decimation of the labouring class is hardly to be hoped, unless immediate steps be taken for the remedy of the evils which tend to produce it.

Now, it is a strong Conservative journal that expresses these opinions, and makes an appeal not merely to sentiments of common humanity, but of common prudence. It is the organ of several of those Gentlemen who will to-night vote for this Committee with a view of cushioning the present Bill. The considerations which it puts forward are too serious to be overlooked. If this epidemic comes, which medical men apprehend, I ask what securities have you against its devastations? [Hon. MEMBERS: In towns?] I suppose if it only affects the towns hon. Members will not think that of any great importance; but, as a matter of personal safety, they would probably find that a dangerous calculation for themselves. Reference has been made to-night to the prize essays which the Royal Agricultural Society have awarded to writers upon matters relating to agriculture and also upon the condition of farm labourers. That sounds like an authority that would have weight in this House; and I gather from the cheers of the right hon. Gentleman that he regards with favour the mode in which the subject has been treated by those writers. Now, I have looked at the various passages in these essays referred to by Dr. Hunter, or rather by Dr. Simon. Now, what are the opinions of these gentlemen, as expressed in their writings, as to the practice of keeping down the number of dwellings for the poor? As to the county of Somerset, for instance, I find it said that—

> "The practice of clearing off cottages at which my correspondent hints may, I fear, be found in this county in several instances."

Again, with regard to other counties I will quote from the essays written in them—

> "Northamptonshire.—It would be invidious to mention names, but it must be admitted that in some grazing districts requiring but little labour a system of depopulation has been systematically carried on by proprietors for several years. Shropshire.—More cottages, and of a better character, are sadly wanted. Bucks.—Among the many causes which assist in degrading the poor, insufficiency of cottage room with bad situations and frequently high rents is certainly among the chief. Devon.—The small number and the untenantable state of many of the cottages compel a large proportion of the workmen to reside in the nearest town or village, a circumstance unfavourable to his comforts and morals as well as those of his family, and a loss of time and

labour to his employer. Bedfordshire.—The want of comfortable cottages and as near as possible to the scene of labour is in many parishes a crying evil. The wear-and-tear undergone by a labourer in traversing three or four miles a day to and fro, in addition to the toil on the farm (as is commonly the case), is a most heavy drag upon the living machine. Warwickshire.—Better cottages follow in the wake of other improvements, but there are many remaining which are mere hovels, where a single bedroom has to suffice for a whole family. Norfolk.—The worst cases are some of the overgrown open villages of West Norfolk. Here people build cottages for gain, and demand exorbitant rents. The scum of the neighbourhood settles down in this spot, for should a man lose his honesty, or a woman her virtue, both are ejected from the close parish, and, of course, take up their abode in the next open one. The houses are small and dear, crammed with grown-up children and lodgers. Oxfordshire.—Though the cottages are as commodious and well arranged as in most agricultural districts, it must not be supposed that much may not yet be done in the way of improvement, or that cottages are nearly perfect. Far otherwise. One great hindrance to the elevation of our labouring poor is the defective accommodation in cottages, many of which have only one bedroom. Parents and children, grown boys and girls, are huddled together in the same room—nay, sometimes in the same bed. This evil is chiefly felt in the small towns and open villages. For this we have to thank the law of settlement. Gentlemen who take interest in and are very kind to the villagers on their own estates are often quite unmindful of the condition of those unfortunate poor who belong to their parish, but who do not live in it; and many landlords, while very good and charitable towards their cottagers, are also very strict with them. It is the unfortunate policy of the settlement law to offer inducements to the demolishing cottages where they are urgently required, and to the congregating them where they are not. Even farmers are so short-sighted as to object to cottages on or near their farms, because they fear an augmentation of the poor rate."

Thus it is, wherever you look for evidence on this matter on which you can depend, it is always exactly the same. In every case there is this struggle among parishes to get rid of the poor, with the same result—of driving them into parishes where there is no adequate cottage accommodation, and from which they have often to walk miles to their work. That is all that this report of Dr. Hunter proves, and if you could succeed, as the hon. Member has not done, in discrediting it altogether, you would but be obliged to fall back on evidence which has been given on authority that you cannot doubt, founded on evidence collected by your own Committees and by persons whose experience is beyond question, all pointing to the advisability of this measure and the necessity of doing away with parochial settlement. I cannot suppose that my hon. Friend the Member for Whitby (Mr. Thompson) who opposes the measure at this stage, and who proposes to refer it to a Select Committee, can do so, with the deliberate purpose of preventing its passing into law. I understand from my hon. Friend that his object is to inquire into the incidence of the rate as it would occur under this Bill. He objects to the present exemptions from rating in certain cases that exist, and to the manner in which the rate falls on different classes of property, and he has asked me whether there is any prospect next Session, if this Bill should pass, of an inquiry being instituted into the system under which certain property is allowed to escape. Now, I do not want any inquiry into that matter. I have no doubt about the incidence of the rate or that this Bill will have the effect of removing much injustice that exists now, and I am also ready to say that I am as well aware as any one can be of the capricious manner in which, in many respects, property is made to bear the burden of maintaining the poor. It is not for me, however, to give my hon. Friend any undertaking to initiate such an inquiry as he desires. We are now under circumstances here that none of us can say when we next meet what side of the House he may sit upon or where he may be. But I may say this, that the Act expires next Session which provides for the exemption of stock-in-trade from its legal liability of contributing to the support of the poor, and it will be for the Legislature in its wisdom to say whether that exemption shall continue or not; and that would be the appropriate opportunity for an inquiry how far it is politic and just that such an exemption shall continue, as well as other exemptions that we know to exist. If the present Government should be in power, and they should have the opportunity of instituting such an inquiry, and if such an assurance would induce my hon. Friend to withdraw his Amendment, I will offer him the assurance that, if I should hold office, I will either propose it or rather support such a proposal if made by another. It is for him to state whether that will be a sufficient reason for him to allow this Bill to pass now—a Bill which has been so many years before Parliament—which has been recommended by so many Committees, and which was only proposed after such preliminary measures as seem to make it a legitimate and logical step in the progress of legislation on the subject. And here perhaps I should call attention once again to what has been previously done to prepare the way for the legislation now proposed; for the House has somewhat lost sight of the position in which the law stands in this matter. There had been difficulties in carrying out this system of union rating, and of abolishing parochial settlement, and one difficulty had been this—that there had been a want of uniformity in the mode of assessing parishes in any given union for the purpose of rating. Some assessed themselves on one principle and some on another. There had been no uniformity in the mode of determining the rateable value of property. Parishes were required also to contribute to the common fund of the union according to the number of the poor and not the value of the property. I found that my predecessor, Mr. Baines, was very anxious to amend the law in these respects, for he found that the measure he had proposed for abolishing settlement was specially resisted owing to the great inequalities in the contributions to the rate, of which the former system admitted, and in which so many persons were interested; and he sought, by spreading the change over a considerable period of time eventually to provide for rating property equally and uniformly throughout a union according to its value. When I entered upon the office I found a Committee was sitting to consider this subject, and which having reported strongly in favour of a change, I submitted a measure to carry it out, and the Legislature having passed a Bill to meet the former defects of the law, we are now in a state in which we have a uniform assessment of property in every union, and every parish that is called upon to contribute to the general fund is assessed according to the value of property in the parish. With that change came another, that persons who had lived for three years in a union should not be removed, and that the burden of maintaining them should be cast upon a common fund. We have now then a uniform assessment of the union, and an equal contribution to the common fund, and we have a very large proportion of the poor of the union maintained from that fund. How little more is that now asked to be done, seeing what Parliament has allowed to be done already! The union poor have increased enormously, and are now supported by a common fund, it is only proposed that all those that claim relief in the union should be maintained in the same way. I give the hon. Member for Worcestershire (Mr. Knight) credit for his foresight in this matter. In 1861 he said, that if the House allowed the Bill to pass causing parishes to contribute to a general fund, and the poor were allowed to be irremovable in the way then proposed, Parliament could not resist maintaining all the poor by union rating and settlement. I remember the right hon. Gentleman the Member for Droitwich (Sir John Pakington) urged the hon. Member for Worcestershire to let the Bill pass, but that he objected, asserting there would be no possibility of resisting such a Bill as the present, if the measure of 1861 were allowed to pass. I only mean to show that Gentlemen opposite allowed a Bill to pass in 1861 which allowed large numbers of the poor to be chargeable upon the common fund, and the hon. Member for Worcestershire then said, and other Members knew that, if the measure were passed a measure like this could not be resisted. The right hon. Gentleman (Sir John Pakington) formerly objected to the Irremovable Bill, but now, like most men of sense, he was aware that they either must go forwards or backwards, that they could not stand where they were. It really is not a matter for further inquiry. Every question of principle has been settled, and every objection in that respect has been overcome. After what has passed, I hope my hon. Friend will see the importance of now allowing this measure to be proceeded with, and will not persist in his Motion to transfer it to a Select Committee, which must result in the loss of the Bill, and I do trust that the House will be allowed to go into Committee upon the Bill.

Earl PERCY said, that the farmers in his part of the country were not at all favourable to the Bill, and he had received many remonstrances against the system it was proposed to introduce.

Mr. THOMPSON said, when he gave his notice to refer the Bill to a Select Committee some weeks ago he expected that there would be ample time to report before the close of the Session. After the declaration of the right hon. Gentleman that there would not be time to complete the inquiry this Session, and as he had promised to appoint a Select Committee next Session, if it should be required, he would, with the permission of the House, not press his Motion.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 266; Noes 93; Majority 173.

Main Question put, and *agreed to*.

[*For Division List see Appendix.*]

Mr. HENLEY said, he had no wish to object to the Speaker leaving the chair, but he wished to explain that in the whole course of his speech he had never said that he was satisfied with the dwellings of the labouring poor—an assertion which the right hon. Gentleman (Mr. Villiers) had endeavoured to fasten on him. On the contrary, he had said that he was not satisfied, that there was much to be done, and he had spoken very strongly of the shortcomings of all, in whatever situation they might be. He wished to relieve himself of that charge. As to what the right hon. Gentleman had said of his general opinions he had no objection to make. His opinions about settlement were very well known, for he had given notice of an Amendment for doing away altogether with settlement and removal, which he hoped would be successful, and in which he hoped, after the language which had been used by him, to have the right hon. Gentleman's support. He had no objection to going into Committee on the understanding that the Chairman would report Progress at once, for the right hon. Gentleman could hardly expect to go on with the Bill to-night.

Bill *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Thursday.*

SUPPLY.—REPORT.

Resolutions [May 12] *reported.*

Mr. CAVENDISH BENTINCK said, he wished to ask the right hon. Gentleman the First Commissioner of Works, whether it was the intention of the Government to carry out to the letter the recommendation of the Commission not only with reference to the pictures for which Votes were taken in the present Estimates, but also with respect to pictures yet to be painted?

Mr. COWPER said, the Estimates showed that the recommendations had been carried out with regard to the pictures already executed. The recommendations of the Commission with reference to the pictures yet to be painted would be the subject of further consideration.

Resolution *agreed to.*

GAME (IRELAND) BILL—[Bill 42.]

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir Hervey Bruce.*)

The O'CONOR DON moved that the Committee be postponed to that day six months. The object of the Bill was ostensibly to prevent poaching, but it failed in doing so, and even gave a greater inducement to poaching, by offering a better market for game in Ireland.

Colonel DICKSON seconded the Motion, and said that no one in the House was in favour of the Bill except the hon. Baronet who brought it in. If the Amendments which were proposed were adopted, the Bill might be made a very good Bill.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee."—(*The O'Conor Don,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir HERVEY BRUCE defended the measure.

Mr. GREGORY said, the Bill would be most mischievous, by creating ill-feeling between gentlemen and farmers, because it legalized shooting at a time when the crops were still standing.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Words *added*: — Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

LOCOMOTIVES ON ROADS BILL.

[BILL 143.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. GREENWOOD moved that it be read a third time that day six months. If locomotives were allowed to travel over every kind of road without restriction, the greatest possible injury would result. Many of the roads of the country were exceedingly narrow, and the roads themselves were not calculated to stand the wear and tear of locomotive engines. The Bill was injurious, unnecessary, and calculated to do much injury to the general interests of the public. The ordinary roads were wholly unfitted for engines of this kind, and from his experience by the working of a machine of the kind in his neighbourhood he was convinced of the utter inutility of them.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Greenwood.*)

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read 3°; Verbal Amendment made.

Bill *passed.*

METROPOLITAN TOLL BRIDGES BILL.

Ordered, That the Reports on the Select Committees on the Metropolitan Toll Bridges be referred to the Select Committee on the Metropolitan Toll Bridges Bill.—(*Mr. Alderman Salomons.*)

PILOTAGE ORDER CONFIRMATION (No. 2) BILL.

Order for Committee read and *discharged.*

Bill *committed* to a Select Committee to be appointed by the Committee of Selection, in the same manner as in the case of a Private Bill.

SALMON FISHERY ACT (1861) AMENDMENT BILL.

Bill read 2°, and *committed* to a Select Committee.

And, on May 19, Committee nominated as follows:—

Mr. Baring, Mr. Acland, Mr. Cavendish Bentinck, Mr. Henry Fenwick, Mr. Edward Fenwick, Mr. Fleming, Mr. Hibbert, Mr. Knight, Mr. Lawson, Mr. Lygon, Lord Robert Montagu, Mr. Morritt, Colonel Pennant, Mr. Whalley, Mr. Percy Wyndham, Mr. M'Mahon, and Mr. Mackie:—Five to be the quorum.

CHURCHES AND CHAPELS EXEMPTION (SCOTLAND) BILL.

Bill to provide for the exemption of Churches and Chapels in Scotland from Poor Rates," *presented,* and read 1°. [Bill 147.]

COUNTY INFIRMARIES (IRELAND) BILL.

On Motion of Mr. Pollard-Urquhart, Bill for the Better management of the County Infirmaries in Ireland, *ordered* to be brought in by Mr. Pollard-Urqulart and Mr. Colman O'Loghlen.

Bill *presented,* and read 1°. [Bill 148.]

CONSTABULARY (IRELAND) BILL.

Return *ordered,*

"Of the number of Officers and Men of the Constabulary Force in each county in Ireland, in the year 1846, stating the amount of their support charged to the Consolidated Fund, and amount charged to each county, with the totals for all Ireland."

"Similar Return for the successive years from 1853 to 1865, stating, in addition, the number of extra Police of each rank in each county in Ireland, and the amount charged to each county for such extra Police."

"And, Return of the number of the Constabulary Force of all ranks appointed by the Lord Lieutenant to act as Revenue Police; and, also any additional pay or reward assigned to each rank for such extra duty."—(*Colonel Dunne.*)

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, May 16, 1865.

MINUTES.]—Public Bills — *First Reading*— Customs and Inland Revenue* (105); Prisons (Scotland) Act Amendment* (106); Mortgage Debentures* (107); Locomotives on Roads* (108).

Second Reading — Sewage Utilization (80); Oxford University (Vinerian Foundation) (79).

Committee—Metropolitan Houseless Poor (70).

Report — Married Womens' Property (Ireland)* (53.)

Third Reading — Marriages (Lambourne) (83) [h.l.]; District Church Tithes* (101) [h.l.]; Isle of Man (Disafforestation) Compensation* (91), and *passed.*

SEWAGE UTILIZATION BILL—(No. 80.)

SECOND READING.

Lord RAVENSWORTH, in moving the second reading of the Bill, said, he hoped their Lordships would extend to him their indulgence while he briefly explained its object and the circumstances under which he had been induced to take charge of the measure. The Bill had been introduced into the other House of Parliament in conjunction with another entitled the River Waters Protection Bill — the two Bills having kindred objects, were brought in at the same time by the noble Lord the Member for Huntingdonshire (Lord Robert Montagu). Very powerful arguments were used to induce the House of Commons to accept these two measures; but, owing to difficulties interposed, the latter Bill had been withdrawn, and the present Bill was allowed to pass unopposed. Although the River Waters Protection Bill did not accompany this measure, yet the two Bills were so intimately connected and the facts by which both were supported so strong that it would be necessary to refer to them in order to lay the foundation for the enactment of the present measure. It was an indisputable fact that the pollution of rivers was increasing with the increase of population and manufactories, and the evil had now attained a most serious magnitude. In proof of this he might refer to the memorials addressed in March last year to the First Lord of the Treasury by three noble Lords—the Earl of Shaftesbury and Lords Ebury and Llanover—respecting the sanitary condition of rivers and streams. It was there stated that the increasing pollution of rivers and streams had become a matter of national importance, which urgently demanded the immediate attention of the Legislature; that the discharge of sewage and the refuse of factories into rivers was a source of increasing danger to the public health; and that the evil had been aggravated by the unprecedented drought of the last summer which had dried up the natural wells over a large space. It was stated in the Report of the Sewage Commission of 1861 that no fewer than 100 towns were in this lamentable condition owing to the pollution of their streams. But he need not go far to show to their Lordships the evils of this pollution, for it was to be seen in the condition of the river which flowed under the very walls of Parliament. Most of the water with which London was supplied was taken from the river, and the companies which supplied it had recently been compelled to take their supplies from above Teddington Locks, where the water was comparatively pure; but it had been given in evidence that the Thames above that point received the sewage of fifty towns, and at this moment the inhabitants of London were drinking water infected by the sewage of 800,000 persons. It had been abundantly proved that the filtration by which it had been attempted to render the water fit for use did not remove the matter held in solution. Into that noble river the Imperial Gas Company proposed, by a Bill now before their Lordships' House, to throw the residuum of their works, extended over a vast area. They sought powers to increase their capital by £1,200,000, their borrowing powers by £400,000, and the acreage covered by their works by 100 acres. The nuisance which would thus be created had been exposed the other evening by the right rev. Bishop of the diocese, and he earnestly hoped that, either by a vote of that House, or by the decision of a Committee upstairs, some effectual check would be interposed to the pestiferous attempts of this Company still further to corrupt the Thames by pouring into it their refuse and impurities. The Clyde, the great arterial river of the West of Scotland, was represented in the Report of the Sewage Commissioners as being in even a worse condition than the Thames. York, Manchester, Leeds, and Nottingham were all suffering alike from the same cause. Professor Acland, of the University of Oxford, said that the state of the river Thames was a national disgrace, and he described the process of fermentation which took place in its waters. Mr. Rawlinson spoke of the pestilential effluvia to which the inhabitants of Birmingham were exposed from the pollution of the adjacent streams and the discharge into them of large quantities of refuse from various works. The same evils were corrupting the health of all our large towns, and it was no wonder that the inhabitants prayed for some amelioration of the evil. Such impurities destroyed the fish in our rivers; and just as the mephitic air in a well or mine, which would extinguish a lighted candle, was fatal to human life, so the destruction of fish in a stream proved that its condition was deleterious to human life. He hoped he had said sufficient to induce their Lordships to give a favourable consideration to this Bill, inasmuch as it was likely to remedy, to a great extent, the evils he had described, while, at the same time, it utilized the sewage, which was their cause. It was merely a permissive Bill, enabling the local authorities of towns and parishes to take such steps as they might deem expedient for distributing over the land the sewage of their respective districts which had hitherto found its way into their watercourses and streams. The Bill would interfere with no existing rights, and give no compulsory powers. If their Lordships assented, as he trusted they would readily do, to its principle, any objections which might be urged to its details could be more considered in Committee. The local authorities by whom the measure would be carried out were mentioned in the schedule of the Bill, which contained many references to existing Acts, and particularly to the Public Health Act and the Local Government Act. There could be no question, from the evidence laid before Parliament, as to the beneficial effect of the application of sewage to the land, and especially to grass land. It was instructive to look at the cases of those countries where sewage was husbanded and utilized. In China, with its hundreds of millions of inhabitants, travellers told them that not an atom of refuse was lost, the rivers and streams were kept pure, and the empire was consequently enabled to sustain its immense population by its own produce. The same remarks applied to Japan. But we, on the contrary, who boasted of being the most civilized country ever known, wasted at our own doors that which might enrich our soil, at the same time pollnting our rivers and our atmosphere, while we sent whole fleets to the ends of the earth to procure artificial elements of fertilization. We imported enormous quantities of guano; and yet with all that we were not able to feed our people, but had to draw from foreign countries from 14,000,000 to 16,000,000 quarters of wheat and grain annually. Was it not, then, worth while to turn our attention to these facts, and to endeavour to employ with benefit to ourselves and relief to the overcrowded parts of the country those advantages and means which were within our reach? Steps had already been taken by the Government, much to their credit, for the purposes of purifying the atmosphere of our towns, and he might, by the way, embrace that opportunity of asking why they had not received the Reports of the Inspectors appointed under the Act relating to that subject, seeing it had been provided that those Reports should be issued in the month of March. But, returning to the Bill which he held in his hand, it was a further step in the same direction, and an endeavour to extend to the purification of rivers that which had already been attempted for the purification of the atmosphere.

Moved, "That the Bill be now read 2^a."—(*Lord Ravensworth.*)

LORD REDESDALE had not the slightest objection to the principle of the Bill, but he thought it was framed in a very imperfect manner, and that the details would require careful consideration.

THE EARL OF LONGFORD said, the measure was one well deserving the favourable consideration of their Lordships. It was, no doubt, a supplemental Bill to the numerous Local Health Acts that had been passed of late years; but it was a strange thing that Parliament should have left this blank for so long a time as to render it necessary to fill up the void in that imperfect manner. It was a means to a good end—that of agricultural profit and sanitary improvements, and he thought it might be very properly passed by their Lordships.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House, on *Monday* next.

METROPOLITAN HOUSELESS POOR BILL.—(No. 70.)—COMMITTEE.

EARL DE GREY, in moving that the House resolve itself into Committee on this Bill, said, that when he moved the second reading of the Bill, a noble Earl (the Earl of Carnarvon) had asked for a short statement as to the operation of the Act which the present Bill proposed to continue. As their Lordships were aware, before the passing of the temporary measure on this subject last year, the provision made for the relief of the casual poor in London was very unsatisfactory. The accommodation was very inadequate, notices were frequently put up that the casual ward was full, and that therefore no more of these poor persons could be admitted, while none of the wards were kept open all night. He was, however, happy to say that the Act of last year had worked well, and that there had been a marked improvement in the treatment of these persons. At the present moment there was adequate provision for the casual poor in all the unions with the exception of three, where the provision made was not sufficient. In no less than twenty-one unions, in which previously the accommodation was very insufficient, there was now permanent and adequate accommodation; but in several of the remaining unions the accommodotion thus provided was not of a permanent character, for, as the Act of last year was only temporary, these unions had not thought right to provide permanent accommodation. Nevertheless there was no doubt that, if the present Bill passed into law, adequate permanent provision would be made by the guardians in the metropolis for the accommodation of the houseless poor. With respect to the adequacy of the accommodation provided under the Act of last year, he was able to make a satisfactory statement. Before the passing of that Act there was accommodation in the metropolitan unions for 997 casual poor, and that was very unequally distributed, and of a very unsatisfactory condition. But at the present moment there was suitable provision for 1,578 persons; but upon one night in the month of January last, when the largest number of applications was made at the unions, 620 casual poor were received into the union wards, while, at the same time, 955 persons of a similar description were accommodated in the refuges which existed in various parts of the metropolis. Thus, on the night when the largest number of persons required accommodation, only 1,575 applied for it, being somewhat less than the number which could have been accommodated in the union wards, independently of the refuges. He thought that their Lordships would agree with him in considering that was a satisfactory result to be obtained in a few months under the operation of the temporary Act. He would not trouble their Lordships by reading the many letters which he had since received stating the view taken by the Boards of Guardians of the Act, but he would state generally that the Act was approved by them, and they were now willing to do that which they were never willing to do before—namely, to provide permanently proper accommodation for the casual poor. There was almost universal testimony on their part in favour of the operation of the Act. There was one or two clauses in the present Bill which effected improvements on the Act of last year, to one of which only he would refer on the present occasion. The claase in question provided that the police should have the power to take persons coming under the description of casual poor to the wards of the workhouses, who were then to be immediately admitted. This provision was recommended by the Committee of last year, and he believed that it might be carried into operation with great advantage. Sir Richard Mayne thought that it could be worked without difficulty in the metropolis, and therefore it had been thought desirable to give this additional security to persons in the unfortunate situation of the casual poor.

Earl de Grey

THE EARL OF CARNARVON admitted that, in many instances, the Act of last year had worked satisfactorily, though he was surprised to hear the noble Earl state that there was an unanimous feeling among the Boards of Guardians of the metropolis in its favour. He could not himself concur in the eulogy which the noble Earl (Earl de Grey) had passed on that Act. From inquiries he had made he had come to the conclusion that the Act had undoubtedly produced satisfactory results in certain parishes where the guardians were willing to meet it in a liberal spirit; but in other parishes, he was sorry to say, it had been met in a spirit so illiberal and churlish as to have proved almost ineffectual. He did not state this as a mere matter of assertion, but the Returns which had been ordered by the other House and which had been laid on their Lordships' table, proved on their face that the Act of last year had not been so complete a success as the noble Earl would have their Lordships suppose. The very first thing observable in looking at the Returns was the inequality which prevailed in the different unions. It extended to every part of the administration, and affected the accommodation given, the treatment of the persons admitted, and the labour exacted from them. Every pauper was entitled to receive one meal on admission and another on discharge. The food varied from nine ounces of bread down to four, three, and in one case actually 2½ ounces of bread. This was an enormous disproportion in the fare, which must make the Act work badly. The bread was in some nnions supplemented by a pint of gruel in the morning; in other cases gruel was given both at morning and evening; and in one case the exuberant prodigality of the generosity of the guardians found vent in permission to the pauper to drink as much water as he pleased in addition to the bread which was given him. The labour required in return for food and shelter varied just as much. In some cases it took the form of corn-grinding, in others of pumping water or turning a crank, and in others a regulation prevailed which would probably excite their Lordships' surprise, and which so far as he knew was to be found in no county gaol — oakum picking was reserved for the aged and the infirm, for women and children. Not only did the character of the labour differ, but the quantity exacted and the time during which they were kept at their tasks, which varied from one hour up to four, and the quantity to be picked from one pound to three. Again, the accommodation in the different unions varied greatly. In some cases the wards had not been fitted up for the purpose of accommodating the casual poor; in others the ventilation was defective, and the paupers had not more than seventy or eighty cubic feet of air each during the whole night; in one instance, it appeared that two beds in the male wards were occupied by three persons. It was a perfect farce to say, under these circumstances, that this was affording proper shelter to the poor, or that the Act was working satisfactorily. In one case, that of St. George's-in-the-East, every adult was required to pick two pounds of oakum for every meal he or she might have. It was impossible, consistently with the Act of last year, to require these conditions. In another instance, the guardians assigned as a reason for refusing relief, that the applicants belonged to other metropolitan parishes; but that was no good reason why the guardians should not take in these persons and give them shelter. If Boards of Guardians acted upon such grounds as these the Act was entirely nullified and set aside, and there was no security that the relief which ought to be granted had been so granted. The consequence of this unequal treatment of the casual poor in the different unions was that some of the wards were too full, while others, in other unions, were comparatively empty. One ward was described in the Returns as never used, and the reason was obvious, for in proportion as the guardians acted in a harsh and illiberal spirit the poor would be driven away and the wards would remain empty. He quite admitted that there was a difficulty in the first application of the Act—too much liberality would be an evil, as too much strictness was, and it was not easy to fix the point where the guardians could give enough and not too much. It would be obviously wrong to give more to one of these casual poor than to the pauper within the walls of the workhouse, or to an honest man, who by his own industry was struggling to maintain himself outside the walls of the workhouse. The class of casual poor, moreover, was no doubt a difficult one to deal with—often idle and dissolute, and from the lowest dregs of society. At the same time, it must be borne in mind that the casual poor were not a criminal class. As a matter of fact, very few criminals, if any, took advantage of the Act of last year; and when the police agency contained in this Bill was put into execution there was less chance of this still. He could not agree with the noble Earl that the Act of last year had been so successful as he had described; but he did not oppose the Bill, being merely anxious that the Poor Law Board should direct their attention to the subject, and as far as possible prevent the Act from being made practically a dead letter, as it very often was, by the illiberal and churlish parsimony of Boards of Guardians.

THE EARL OF **SHAFTESBURY** admitted that there might be defects in the administration, but where the law was effectively administered it worked very great good. He had been favoured with some statistics showing what had been done under the Act in one of the largest parishes in London. From the 29th of September, 1864, to the 25th of March, 1865, 4,740 persons had been relieved in this way, at a cost of £244, showing an average cost of 2½*d.* a head, for which each person received in the evening and morning six ounces of bread and a pint of gruel. About 50 per cent of the persons admitted stated that they had not been in London more than three days. Only thirty-seven had been refused admission; of whom twenty men and eight women would not take the bath, which was always warm; two men found the beds too hard; and seven had more than a shilling in their possession. The conduct of the great majority of the "casuals"—for this was the new word that was passing into the English language—was reported to be good. Cases of insubordination had been rare; and it had not been necessary to take any of them before the magistrate for riotous or disorderly behaviour. This was a good picture of the results of the law. In some cases the Act might be administered with severity; but it must be remembered that there was a considerable difference in the population in different parts of London, and that it might be necessary to change the treatment according to kind of poor with whom you had to deal. After the discussion which had taken place, however, the law would probably be more efficiently administered, and he believed it would be a real and permanent blessing to the class it was intended to relieve.

House in Committee; an Amendment made; the Report thereof to be received on *Thursday* next.

OXFORD UNIVERSITY (VINERIAN FOUNDATION) BILL—(No. 79.)

SECOND READING.

THE EARL OF **DERBY**, in moving the second reading of this Bill, to which he did not anticipate any opposition, said, its object was to enable the University of Oxford to pass a statute amending a statute which had been already passed in pursuance of the will of Charles Viner. The Vinerian foundation arose from the will of Charles Viner, who died in 1755, and who bequeathed the whole of his very valuable library and a bequest worth £12,000 to the University. If all who had been at the University were actuated by the same conscientious motives as Sir Charles Viner that seat of learning would be enriched indeed ; for Mr. Viner stated that his bequest was given to the Chancellor, Masters and Scholars of the University "in order to make some amends for my indiscretion there in infancy." The testator then proceeded to specify his objects, one of which was for nominating, appointing, and establishing a Professorship of Common Law at the University and putting it upon a proper footing, in order that young gentlemen who might be students there might be instructed and enabled to pursue their studies to the best advantage when attending the courts at Westminster, and might not trifle away their time by hearing what they understood nothing of, and thereby divert their minds from the study of the law to their own prejudice. For the purpose of effecting this very laudable object it was proposed that out of a portion of the residue of the funds provision should be made for publishing a Supplement to his own *Abridgment of the Law*, and also appointing, as far as the funds would allow, one or more fellowships and scholarships. The Abridgment to which he referred consisted of twenty-four large volumes, and the Supplement had been published, he believed, in the small compass of six additional volumes. The University desired to act in accordance with the directions of the founder in every respect ; but in order to carry them out in his evident intention they desired to appoint a resident Professor. In order to do so, however, it was necessary that the original statute of 1758 should be modified accordingly. But upon proposing to make those alterations they were informed by the present Attorney General that it was doubtful whether they could modify it without the assistance of Parliament, because the statute formerly passed was in conformity with the precise terms of the will of the founder. It was to enable them to make the necessary alterations that this Bill was introduced. The proposed modification had been sanctioned by the Hebdomadal Council, and had been unanimously approved by the Council of Convocation. The Bill had been introduced into the other House by the Chancellor of the Exchequer, as one of the Members for the University, and the Attorney General, its counsel, and had passed without opposition. He trusted it would be received equally without objection by their Lordships. He begged to move the second reading of the Bill.

Motion *agreed to;* Bill read 2^a, and *committed* to a Committee of the Whole House on *Friday* next.

MASTERS IN THE ROYAL NAVY.

QUESTION.

THE EARL OF **HARDWICKE** asked the First Lord of the Admiralty, Whether it was intended to abolish the rank of Masters in the Royal Navy ?

THE DUKE OF **SOMERSET** said, it was the intention of the Admiralty to do so ; but the mode in which it should be done would be so as to effect in the least possible degree the interests of the class of masters, who numbered from 700 to 800 persons. Their interests would be very carefully secured. The only step taken by the Admiralty at present was that they had stopped the entry of that class of cadets from whom the masters were taken. The most convenient course for putting the House in possession of the intentions of the Admiralty would be to lay the proposed scheme on the table as soon as possible, and that wonld give the noble Earl an opportunity of bringing the question before the House.

THE EARL OF **HARDWICKE** said, that in all probability when that time came it would be too late to do anything, or to change in any way the intentions of the Admiralty. It was well known that the Admiralty had power to make such changes in the navy, either of themselves or by Orders in Council; there was no need that the subject should come before Parliament, and therefore the only way to call attention to it was by Question. The step now contemplated appeared to him one of the most extraordinary that had ever been taken in the details of the service. The masters were most ancient and important officers. In olden times, before the navy was fashioned as it was now, those officers were the masters of merchant ships and of the ships belonging to the Cinque Ports, which the King took up, and on board of which he placed his troops, for the purpose of defending the country or attacking the enemy's ships or shores. He had seen a list of the time of Henry V., in which were shown the names of the masters who were thus taken into the King's service. Theirs, therefore, was a very ancient office—as ancient as that of the captains of ships. In process of time, however, the navy was placed under the system which now existed, the masters became subsidiary to the captains, but they still discharged all the duties which belonged to their office in ancient days; they navigated the ship, looked to its rigging and storage, and were responsible to the Government for the stores placed on board. They were, moreover, the ship's pilots. They were educated as pilots of ships in all the narrow waters on the coasts of the United Kingdom and in the German Ocean. It took a life to become a perfect pilot on these extensive coasts, and in all the inlets and harbours contained within the compass of the shores of Great Britain and Ireland. He deplored extremely the resolution which had been taken to abolish the office; and then, after all, its abolition must be compensated by the substitution of some other, for assuredly the navigation of our ships must be carried on by men whose whole mind was devoted solely to that important branch of the service. It was perfectly true that all the officers of a ship were brought up as navigators; but it was constant practice which made the master so superior to the lieutenant, because the lieutenant's executive duties, with which the master had nothing to do, would not admit of his giving up his mind to the observation of the chronometer and the heavenly bodies. Therefore, in abolishing the master's office they must find some other man to put in his place; and they must either select lieutenants who were to be taught the duties, to the injury of the duties they at present discharged, or else they must create a second class of lieutenants. He doubted whether the duties of master were compatible with the executive duties of lieutenants. Moreover, if the officer who hereafter discharged the duties of master had the rank of lieutenant they would necessarily expect to rise to that of captain and admiral. Under these circumstances the proposal of the Admiralty seemed to him to be a great mistake. They were going to abolish the rank of master, of second master, and assistant master; but they must have qualified officers to fill their places. Those officers would naturally desire to assume all the authority of the executive, while their minds would be distracted by the charge of stores, the management of the rigging, and the other duties which now fell to the lot of the master. If they effected this change the Admiralty would have two descriptions of lieutenants, brought up in two branches of the service; and when a lieutenant had shown himself to be a good navigator, he would be much sought after by captains. If the Government obliterated this grade of the service it would be the desire of every officer filling the duties of master to rise to the rank of admiral. The master, at present, had very important duties to perform. As the law and practice is now, he might rise to be master of the fleet, and with rank of Staff Commander. There were other advantages which followed from the great knowledge he gained in the public duties of the service. In the proposed scheme, of which their Lordships knew nothing at present, he presumed it was intended to place the masters on the lieutenants' list. If so, the already unfortunate list of 1,000 lieutenants would be inundated by the addition of more than 250 masters—some said 700. What would, then, be the lieutenant's prospect of promotion? At present he rose very slowly in the service. He presumed the masters would not be placed at the bottom of the lieutenants' list but would be inserted in it according to their rank in the service. Perhaps the noble Duke intended that the masters should die out; and that would be the wisest plan, giving them nominal rank and pay, and then cutting off the supply, and thus by degrees bringing the lieutenants into play to perform the duties of master. On the whole, however, he looked upon the proposed change as a very serious matter, and he did not see what the country would gain by it. He thought it to be his duty to bring the matter before the House, although on the present occasion he did not expect their Lordships to give any decided expression of their opinions.

The Duke of SOMERSET said, that before the proposed scheme was carried into effect it would be laid upon the table, and their Lordships would have further time to consider it. He agreed with the noble Earl that the question was one of great importance. There had been considerable dissatisfaction among the masters, who wish to rise in rank. While, however, they remained a class apart there was great difficulty. On the other hand, all young lieutenants were instructed, and many were highly skilled in navigation; and it had been thought by many officers of great judgment that you might have a set of lieutenants for navigation, as they had lieutenants who devoted themselves to gunnery, and that such a change would be most satisfactory to the service. The proposed mode of dealing with the first and second masters would be seen when he laid the papers on the table; and there was no intention of carrying the change into effect until Parliament had had ample opportunity of considering the subject. Whatever was done, it was important that it should give satisfaction to the service, and that it should be generally regarded as an improvement.

REPORT UPON MINES.

Lord KINNAIRD, who had on the paper a notice to move that the Resolutions and Recommendations of members of the Commission appointed to inquire into the condition of Mines in Great Britain, to which the provisions of the Act of 23 & 24 *Vict.* c. 151, did not apply, be laid on the table in a form separate from the Report, said that, as he understood Her Majesty's Government objected to the Resolutions being granted, he did not wish to press his Motion, and it might be convenient to their Lordships if he were to state upon what grounds he did not wish to press it. He would take that opportunity of saying with reference to what was reported to have taken place in the other House on the previous evening—namely, that the Home Secretary had stated that the Bill did not embrace these Resolutions, that he (Lord Kinnaird) had received a letter from the right hon. Baronet, in which he stated that he had been misunderstood, and that he certainly did not make that statement.

Lord VIVIAN said, he could assure the noble Lord that the county in which he (Lord Vivian) resided were strongly opposed to the Bill, and almost every portion of the county was ready to combine with a view to contest legislation in the spirit in which the noble Lord proposed to deal with the subject. He thought he might venture to say that under such circumstances legislation would be impracticable, and he appealed to the noble Lord at least to postpone the Bill until Her Majesty's Government had had an opportunity of considering these Resolutions.

Lord KINNAIRD said, he could not agree with the noble Lord, who, he felt assured, must be misinformed. He (Lord Kinnaird) had received letters from persons in that district, who told him that all right-thinking agents and shareholders were in favour of legislation; and he expected soon to receive a deputation, with a view of introducing some Amendments into the measure. In the meantime he would say that his Bill had been even more favourably received than he had expected, and therefore he could not accede to the proposition for postponement.

Earl GRANVILLE said, it was not convenient to discuss the provisions of the Bill at that time. Had the noble Lord not withdrawn his Motion he certainly should have supported the proposal of the noble Lord (Lord Vivian), to enable the Government to have further time for considering the subject.

House adjourned at a quarter before Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 16, 1865.

MINUTES.]—Public Bills — *First Reading*— County Courts Equitable Jurisdiction * [150] [*Lords*].

Report — General Post Office (Additional Site) * [149].

ARMY—CONVERSION OF ENFIELD RIFLES.—QUESTION.

Mr. H. H. VIVIAN said, he wished to ask the Under Secretary of State for War, If the Committee on Converting the Enfield Rifles into Breech Loaders had reported; and, if so, whether they had recommended any plan for the adoption of the Government; and whether it be true that an order has been given, or is about to be given, for the conversion of 60,000 rifles on the Mont-Storm principle?

The Marquess of HARTINGTON said, in reply, that the Report of the Ordnance Select Committee upon this subject had been received. That Report was not entirely favourable to any of the systems of conversion that had been submitted to the Committee. It was, however, possible, that as a temporary measure a certain number of Enfield rifles might be converted upon one of the systems, or a modification of some of them. The subject was still under consideration, and therefore it was not true that any order had been given for the conversion of 60,000 rifles upon the Mont-Storm or any other principle. As soon as any decision had been arrived at he would be prepared to state it to the House, and if required, to produce the Report of the Select Committee on the subject.

TRANSFER OF SINGAPORE.—QUESTION.

Mr. MITCHELL said, he would beg to ask the Secretary of State for India, Whether, in the event of the transfer of Singapore from his Department to that of the Colonies, full provision will be made for the continued employment of naval officers holding command under him in the Straits of Malacca?

Sir CHARLES WOOD said, he was sorry to say that he did not understand the purport of the Question of the hon. Member. No naval officer, that he was aware of, held command at Singapore under the Government of India.

Mr. MITCHELL said, the purport of his Question was this:—There were certain Officers commanding vessels under the control of the Indian Department at this moment in the Straits of Malacca, and their impression was that in the event of the transfer of Singapore to the Colonial Department, their services would be altogether dispensed with, and they would be replaced by officers of the Royal Navy.

Sir CHARLES WOOD said, he should be glad if the hon. Member would repeat his Question on a future day, after the Bill for transferring Singapore to the Colonial Department had been introduced.

WESTERN AFRICA—THE WAR AT LAGOS.—QUESTION.

Lord STANLEY said, he wished to ask the Secretary of State for the Colonies, Whether there is official confirmation of the report contained in yesterday's African intelligence, to the effect that a fresh war has broken out among the tribes near Lagos, and that British troops have taken part in the war; and, if so, whether such interference has taken place by order or with the permission of the British Government?

Mr. CARDWELL, in reply, said, he had received an official confirmation of the report to which the noble Lord referred. It was not, however, that a new war had broken out among the tribes near Lagos, but, on the contrary, the termination of the war that had so long raged and had been attended by such disastrous consequences to the colony. It was true that British troops took part in the decisive action which terminated that war. That interference was not in consequence of any permission or directions from the Home Government, as all their orders had been to the Governor to avoid any interference with the Native tribes. The Governor justified the step which he took upon this occasion upon the ground that the colony was threatened with invasion, and therefore his proceedings were but in self-defence. The accounts he had received led him (Mr. Cardwell) to believe that the affair had been conducted with very great skill and gallantry by an inferior force against a vastly superior force. The result had been a decisive success without the loss of a single man of Her Majesty's troops, and he should have much pleasure in laying the papers on the table.

ENLARGEMENT OF THE BRITISH MUSEUM.—QUESTION.

Mr. HENRY SEYMOUR said, he had intended to put a Question to the Chancellor of the Exchequer, who he conceived would have been the proper person to give an answer upon the subject, but he was told that the matter fell within the Department of the First Commissioner of Works. He would therefore ask the right hon. Gentleman, When he will bring on his scheme for the enlargement of the British Museum; and if it will be before Members began to separate in anticipation of the General Election?

Mr. COWPER said, in reply, that last year plans were prepared for the erection of buildings for the reception of the Natural History Collection of the British Museum. Other plans were also transmitted to the Trustees of the Museum for their consideration. He was now in communication with the Trustees upon the details of those plans, but nothing had as yet been finally determined upon. He was, therefore, not able to say when action would be taken upon those plans by the production of an Estimate of cost; but he could assure the hon. Gentleman that no unnecessary delay should occur in the preparation of that Estimate.

Mr. HENRY SEYMOUR said, he wished to know whether the scheme involved the removal of some of the departments of the British Museum to South Kensington?

Mr. COWPER said, the plans were for the erection of a building to contain all the Natural History Collections upon ground already purchased at South Kensington, which property had been purchased with the view that such buildings should be erected. Therefore, these plans seemed to be the necessary sequence of the steps previously taken by the Government.

Mr. GREGORY said, the House wanted to know whether an opportunity would be afforded to them of expressing an opinion upon the question whether the Natural History Collection should be removed to South Kensington. They wished to have a definite answer to the question whether the House of Commons would have an early opportunity of expressing their opinions upon this subject, or would the decision be deferred until hon. Gentlemen had gone back to their constituents?

Mr. COWPER said, the question was rather vague as to time, because he did not know when the hon. Gentleman would visit his constituents. He could not fix any definite time, but the ordinary course of taking the sense of the House was by producing an Estimate of cost, which the House could accept or reject as it pleased. That Estimate would be produced as soon as the requisite preliminaries to the formation of it had been gone through. It could not be before. [An hon. Member: Will it be this Session?] He should be unwilling to enter into the region of prophecy. He was at present in communication with the Trustees relative to the plan, and when it was finally agreed upon the Estimate would be laid on the table without a moment's delay on his part; but it certainly was asking too much to ask him to say when the plan would be decided on and the Estimate produced?

Mr. AUGUSTUS SMITH said, he wished to know when the Bill would be ready to be laid on the table, because it was the Bill, not the Estimate, which would decide whether the collections were to be separated or not?

Mr. COWPER said, the hon. Member had better give notice if he wanted to know about the Bill, for he was not in a position to say anything about it. All he could say was that when the Estimate was ready it would be laid on the table.

DR. LEONE LEVI'S "ANNALS OF BRITISH LEGISLATION."

QUESTION.

Mr. J. R. YORKE said, he wished to ask the Secretary to the Treasury, with reference to a Petition presented some time since by Dr. Leone Levi, Whether any conclusion has yet been arrived at by the Lords of the Treasury on the subject of granting a subsidy to a work published by him, entitled *Annals of British Legislation?*

Mr. F. PEEL, in reply, said, the conclusion the Treasury had come to was, that they ought not to propose a subsidy for this publication. If there were any public offices which desired a copy they would have authority to purchase them, but the Treasury was not prepared to purchase copies for distribution in the Colonies and Public Departments as was proposed in the Memorial.

THE PATENT LAWS—THE HON. RICHARD BETHELL.—QUESTION.

Mr. COX said, he would beg to ask Mr. Attorney General, Whether it is his intention to bring in a Bill this Session to amend the laws relating to Patents?

The ATTORNEY GENERAL: Sir, a Bill has been in course of preparation with the full expectation of its being introduced this Session, but further consideration has rather added to the difficulties attendant on the subject, and I believe it will be hopeless to think of passing such a measure this Session. While on my legs I desire to add something to the answer I gave last night to the question put by the hon. Member for Devonport (Mr. Ferrand). Since then I have received a letter from Mr. Welch, the Registrar of the Leeds Court of Bankruptcy, which ought to have reached me yesterday, before I made my statement. Mr. Welch, in that letter, requests me to make a statement which in one point would have added more completeness to the answer which I then gave. With regard to himself, Mr. Welch states that he was unconditionally appointed by the Lord Chancellor in July last to the office of Registrar of the Bankruptcy Court at Leeds, and that he was not, and has not since been in precarious health. With respect to Mr. Bethell (whom I understand to have been upon a private visit to Mr. Welch at Leeds, in February last), he says—

> "That Mr. Bethell did not attend the Leeds Court of Bankruptcy in February last, or at any other time; and that all the officials to whom he has spoken, deny that Mr. Bethell ever told any of them that he was appointed Registrar, or that they ever said so; and they add that they do not even know Mr. Bethell's personal appearance."

I may add that I have seen a letter from Mr. Bethell himself, substantially to the same effect.

EAST INDIA—
(CIVIL SERVICE EXAMINATION.)
MOTION FOR PAPERS.

MR. ARTHUR MILLS said, he rose to call attention to the existing Regulations for the Examination of Candidates for the Civil Service in India, and to move an Address for Copy of all Correspondence on the subject between the India Office and the Civil Service Commissioners which has not yet been laid before Parliament. The hon. Member said it was now about ten years since the system of competitive examination for the Indian Civil Service had been inaugurated—chiefly on the strength of a report of the late Lord Macaulay—and it had continued to prevail since without material alteration. He did not, therefore, intend to go into the various questions which surrounded this subject, or to discuss the question, which had sometimes been raised, whether it was or was not an improvement on the system which it displaced. The only question he wished to put before the House was simply whether the present system was so constructed as to insure the best possible men for the Indian Civil Service, and at the same time not to interfere with the best interests of English education. The system was set forth in the Regulations now in force. The fourth Regulation laid down that the subjects in which the examination should be conducted should be not only English language, composition, literature, and history, including that of the laws and constitution, but also the language, literature, and history of Greece, Rome, France, Germany, and Italy; mathematics, pure and mixed; chemistry, electricity, and magnetism; natural history, geology, and mineralogy; moral philosophy, Sanscrit, and Arabic. It would probably be admitted that the range of subjects was so vast that it was impossible for one man to deal with them. He was aware that any one who ventured to question the verbal inspiration of this Report of Lord Macaulay's would be looked upon as an educational Colenso; but still he thought it would be better that each candidate should be limited to three or four subjects which he might select for his examination. He would propose this change first of all in the interests of the Examiners—though he did not presume to pry into the mystery of marks—who would then be able to concentrate their attention on a more limited set of subjects, and better to test the qualities of the young men who were submitted to them. He also desired to make this change in the interests of the public service, and more particularly of the education of England. Now, it was a remarkable fact that since this system had been established the proportion of candidates from Oxford and Cambridge had gradually diminished. This was manifestly a circumstance which should excite some attention and should be regarded with some regret. He found that Mr. Latham, Fellow and Tutor of Trinity Hall, who had written an able pamphlet on the subject, gave the statistics of the present system, as affecting the Universities, in these terms—

> "The following figures show the proportion of candidates from the Universities of Oxford and Cambridge, taken together, to the whole number of those selected:—In 1855, 70 per cent furnished by Oxford and Cambridge; in 1856, 55 per cent; in 1857, 50 per cent; in 1858, 60 per cent; in 1859, 55 per cent; in 1860, 41·25 per cent; in 1861, 43·75 per cent; in 1862, 30·2 per cent; in 1863, 25 per cent. In 1864 the places of education of selected candidates were not given in the list published."

The Head Master of one of our public schools wrote as follows:—

> "This school of 500 boys draws from just those strata in society which naturally supply candidates for the East India Company's service. Moreover, a great number of our boys are at this moment anxious to go to India; quite one third of my highest form of 30—fellows who have worked their way up the school, and nearly every one of whom will get scholarships at the University; nearly every one of them good at games, manly, and hardworking; would give anything to go, but, under the present system, they have no chance, or next to none. They must leave us to insure success, at sixteen or seventeen, just when school life is beginning to be most valuable; give up all idea of education in a good sense, and try for two or three years to cram as large a field of subjects as possible. If they do this, experience shows me that those who have good or fair recep-

> tive powers will certainly succeed; if not, very able and hard-working fellows will as certainly fail. This, it might be said, is our fault, because we will not extend and widen our teaching, or because we do not teach well enough. To this I can only say that to our boys who are thinking of India we teach, or attempt to teach, the following subjects:—Greek, Latin, modern and ancient history, French, English literature, geology, and mineralogy. We allow them to give to English and French and one science four or five lessons a week which would otherwise go to classics. But this is not nearly enough, and even this distracts and injures them, and we feel that unless some change is made we must abandon the attempt to help our boys to secure this the most important prize that has been thrown open to the middle classes."

The writer whose opinons he had just quoted, alluding especially to the examinations in English literature, spoke thus—

> "High marks were got by candidates who never read any English author except a manual, nor any history except a half-crown abridgment. We cannot teach in this way."

Mr. Latham, speaking of the examinations in Oriental languages, especially Arabic, said —

> "The practical effect of the existence of this subject is to load men with another grammar and alphabet which they mean to carry for three months and forget as soon as possible. It increases the great vice of the examination—namely, that it makes a man's mind like a town that has been abandoned while building, which was to have contained all sorts of grand edifices, but in which hardly a house has reached the first floor."

Now, even if it were determined to retain on the list all the present subjects of examination, he (Mr. Arthur Mills) would at all events venture to suggest that each candidate should be limited to three or four, with an unrestricted power of selection, so that all candidates, whether they came from Scotland or Ireland, or from our English universities, or public schools, should have the option of submitting themselves to a test of their own choice, and that the present risks of curious interferences with their educational course might be avoided. There was another point to which he wished to call the attention of the Government. He thought they incurred a serious responsibility with respect to the successful candidates during the time which they spent in this country after passing an examination, and before being sent to India. As those young men were kept in London, and had no particular motive for hard work, it would be very desirable to have some sort of direct supervision over them. If the interval between the first and final examinations was to be two years, and no institution similar to Haileybury was to be re-

established, this question became the more serious. He would repeat that the only object he had in view was to obtain the best servants they could get for the Indian Civil Service and at the same time to do nothing to deteriorate the cause of education in England.

Motion made, and Question proposed,

> "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of all Correspondence relative to the existing Regulations for the Examination of Candidates for the Civil Service in India, between the India Office and the Civil Service Commissioners, which has not yet been laid before Parliament." —(*Mr. Arthur Mills.*)

MR. BAILLIE COCHRANE said, that he had on different occasions brought under the notice of the House the question of the Civil Service Examinations, not in reference to India only, but in connection with the administration of the Empire generally. For the last two or three years, however, he had not taken an active part in reference to the question, as he thought it would be better to wait and see how the system of Civil Service Examinations worked, and that they might have an opportunity of judging what were likely to be its results before he offered any comments upon it. But now that one important branch of the question had been brought before the House he might ask whether the information from India showed that the result had been satisfactory. He was sorry to say that the opinion of the public in India was that though the men lately appointed possessed great ability and information, they were deficient in many qualities which were absolutely necessary to form good officers and good men of business. His hon. Friend had touched upon the feeling displayed, which almost amounted to prejudice, throughout the papers presented to the House against University education, so far as the Civil Service was concerned; and it was certain that the number of University men appointed to that service was less than formerly. This change, too, had taken place when the standard of education in the Universities had been very much raised. He was sorry to find this was the case, as he believed that, independent of the learning which it insured, the mental discipline of the University gave that tone to the character of the men which was an esential quality in those filling responsible situations, and which could not be tested by any examination whatever. In support of his allegation as to the feeling against University education, he read the following Extract from the Civil Service Report of 1864:—

> "It is not improbable that they will in some cases be reluctant to give up the pursuit of University distinction; but if well advised they will at once lay aside other subjects, in order that they may devote themselves the more assiduously to those in which they will be examined. It should be distinctly understood that in the further examination the requirements of Universities or Colleges will not be regarded as affording an excuse for imperfect preparation. Each candidate in choosing his place of residence for the year should carefully consider what facilities will be afforded him for the prosecution of his studies."

Surely, the whole tendency of that passage was to deprecate University education; and that, in his opinion, was to inflict great harm upon the public service. The officers in the Indian Civil Service would doubtless tell them that those young men who had been lately appointed were men of considerable information, but he was afraid they did not possess those powers which fitted them to command and win the respect of others. There was a point connected with the service of India which deserved the most careful consideration. It had been frequently and truly stated that the service would greatly benefit if the sons of those who had long and faithfully served the country could be also received into the public service. Now, it was an undoubted fact that, in 1863, out of 189 appointments, seven only had fallen under the competitive system to the sons of officers in the army or navy or the Civil Service. It was no doubt desirable that the most competent persons should be selected for those appointments; but it was at the same time a hard thing for old public officers that no preference should be given to their children; and he believed it was also a thing detrimental to the public service. There was also, he thought, some reason to complain of the practice at present adopted, of giving no advantage in one year to the best of the candidates who had failed in the year preceding, and establishing an entirely new examination. He should further say that he thought the questions put to the candidates were sometimes ridiculously abstruse. He was anxious not to throw ridicule upon the examinations, but he was afraid their standard was fixed too high. For instance, what necessity was there to ask the man who was going out to India the following questions:—

> "Explain the titles—Iconoclastes, Colasterion, Tetrachordon, Smectymnuus, Histriomastix, Annus Mirabilis. What was Pope's opinion of Dryden as a poet? Quote passages in support of your answer. Name the authors of the following works, and arrange them in order according to the date of their death:—*Religio Medici; Utopia; The Battle of the Books; The Thistle and the Rose; Rasselas; The Davideis; The Essays of Elia; Madoc; The Rejected Addresses;* and the plays *Don Sebastian, Revenge, Cato, The Rehearsal.*"

Again, the students were required to answer three of the following five questions:—

> "Give an account of the theory of placentation in plants, mentioning any cases which are anomalous. Describe the structure and homologies of the great lateral muscular masses of fishes, and explain the mode of progression of fishes. Describe the structure of the eye in one of the following animals—birds, snails, or spiders. State the nature of the food, and trace the process of ingestion and assimilation in one of the following cases—rhizopod, whelk, toad, snipe. What is the doctrine of specific centres of organic life? State the leading arguments on either side."

He did not cite these examples to cast ridicule upon the examinations, and still less upon the Examiners, who were undoubtedly men of the highest ability and accomplishments; but he thought that it would be much better that they should abstain from putting questions of this kind, which could only mislead the attention or misdirect the energies of candidates, and which could have no possible connection with the qualities required in a candidate for the public service of India. He would not read any more of these questions, because he was anxious that the system should be fairly tested. He desired again to pay his tribute of respect to those who had conducted these arduous examinations, but as the matter was before the House he could not abstain from saying that he thought it was necessary that the whole subject should be reviewed, and that it was most desirable that a Select Committee should be appointed, which might fairly consider what was the effect of these examinations. He would refer to only one case to show how extraordinarily the system worked. It had been commonly reported—he had no authentic information upon the subject—it had been commonly reported that a gentleman was appointed to an office in a great public Department, having passed what was considered an excellent examination, who, after a short time, was found to be perfectly incompetent to discharge the duties of his post. In answer to questions which were asked of him by the Examiners, he called the Virgin Mary *vir humanitatis;* and translated the following sentence:—

> "Money was brought by a ship from New Zealand for one of the bankers of the town, and it had to be disinfected by being placed on a brazier," thus—"*L'argent qu' ils apportent pour un de nos banquiers a été mis sur un chauderon.*"

Speaking of a period of pestilence at Amsterdam, he rendered—

> "*On craint que le mal se communique dans ces jours caniculaires,*" "He fears that the evil will increase by means of the canals."

About the same time, another officer who had served in the Department for some time, and was a most zealous and meritorious public servant, was upon his promotion subjected to a second examination, and was rejected. It was true that he made some great blunders, but they were blunders which did not affect his efficiency in the particular branch of the public service to which he was attached. For instance, he stated that Lord Bacon was the author of a treatise upon the French Revolution, and that Southey wrote a poem called *The Doctor*. This showed that candidates might upon literary questions fall into great errors and yet be most eligible and competent public servants. He, therefore, hoped that the Examiners would expunge from their examinations questions which could only tend to confuse and mislead candidates, and adopt such as would test their information upon subjects a knowledge of which would be required in the offices to which they sought to be appointed. In conclusion, he would only express his hope that next year a Select Committee would be appointed to consider the whole subject.

MR. NEATE said, that this was not so much a question as to the mode of examination as to its principle, which depended upon the formation of the scheme. He agreed with the hon. Gentleman (Mr. Baillie Cochrane) who preceded him that the scheme for the examination of candidates for Civil Service appointments in India was of far too extensive and miscellaneous a character. The principle of the scheme ought to be to place the knowledge which was required of candidates for the Civil Service of India in harmony with the higher education of this country, including in that term, of course, both Scotland and Ireland. The existing scheme really went much beyond the general education of the higher classes. The maximum number of marks that could be obtained by the successful candidate was 7,125, of which only 1,500 were assigned to proficiency in those subjects which were taught in the great schools of this country. It might be, and he thought it was, desirable that the education in our public schools should be considerably extended; but the Indian Civil Service must take those schools as they were; and we must not take the improvement of our system of education from the Civil Service Examiners, but the Civil Service Examiners should select the candidates who were best acquainted with the subjects which were taught in our schools. It was of great importance to the preservation of our empire in India that the classes sent out there should be a sort of offshoot of, and in friendly correspondence with, the ruling classes of this country. The House would not suspect him of inclining too much to the aristocratic classes; but no man felt more strongly than he did the importance of possessing such an empire as India, and he thought it important that the ruling class there should be in correspondence with the ruling class here. They would all think and care very much more about India if they had acquaintances, friends, or connections there; and this country, as represented by its ruling classes, would think much less, care much less, and know much less about India than it did now if those to whom its government was to be committed were to be people coming, not from our great schools, but from odd corners of the world, having no tie or connection with those whom they met in that House and elsewhere, and only recommended by a peculiar knowledge of mineralogy or some other abstruse science. As to how the scheme should be remodelled, that was rather a question for discussion between the Civil Service Commissioners and the Examiners than for debate in that House; and he would only say that whenever during the last thirty years he had had to decide between the merits of two candidates, he had not put to them any of those cram questions which the Examiners asked—not to test the knowledge of others, but to conceal their own ignorance — but required them to construe a plain passage of Latin. A man who understood horses could form a judgment by seeing them walk; but an ignorant man could tell nothing till they galloped. The Civil Service Examiners always seemed to keep the candidates on full stretch in order to try their paces. These remarks applied to the first examination — that was, the competitive examinations, the result of which was to decide who were to obtain nominations, those who obtained less than a certain number of marks being ineligible. But those who were successful in the first examination, had afterwards to pass a second, relating to subjects with which they would be more particularly concerned when they went to India, and they required a knowledge of the general principles of jurisprudence and of Indian and Mahommedan law. The positions for which men had to qualify themselves were the collectorships of revenue, political appointments, and places connected with the administration of the law; this last being by far the most important. He thought the importance of political economy in the case of persons who would have to fill the position of collectors of revenue, political appointments in connection with the Government in India, or that of administrators of the law, was not so great that candidates should be required to possess a very intimate knowledge of it. Some of the greatest statesmen of this country—men who had taken part in the promotion of great economic changes — had, he believed, but a very slight acquaintance with the *minutiæ* of that science. The great point, after all, was that young men obtaining appointments in the Civil Service in India should have a knowledge of law. That brought him to the question, what was the best place to fix upon as the residence of those candidates who had passed their first examination for the Indian Civil Service. Deeming it to be desirable that they should be as well informed as possible with respect to the institutions of their own country, he was of opinion that it was in London—in Westminster Hall and the subordinate courts — rather than at Oxford or Cambridge, that that information was to be acquired. No where could young men learn better the important lesson how the law should be administered than in our courts of justice; while, with the view to prevent them from being left to themselves after passing their examination, and to establish bonds of association between them, he could see no objection—save that which was based on the ground of economy—to the maintenance of some such institution as Haileybury. There was no reason, he might add, why young men after their final examination should not be placed under the superintendence of a College like King's College, with which the Civil Service Commissioners might communicate, and from which they might receive reports as to their conduct and industry as manifested by their assiduity in attending lectures. At present the Commissioners abstained from recommending any set of teachers above another. He thought they had carried this almost to an absurd extent. He considered that it would be well that these young men should be placed with persons associated with the Civil Service Commissioners, and who might report on their attendance and their proficiency. It would not do to confine the privilege to King's College. It might be extended to University College also, but if the existing institutions were not available a new college should be founded. The adoption of such a course would, he felt assured, be attended with considerable advantage.

LORD STANLEY: I think my hon. Friend the Member for Taunton (Mr. A. Mills) is entitled to our thanks for having brought this subject before the House. No one is now, I believe, opposed to the principle of competitive examination for appointments in the Civil Service of India. Even my hon. Friend the Member for Honiton (Mr. Baillie Cochrane), who was one of the most consistent opponents of the system, has expressed a wish that it should have a fair trial. It is, however, precisely because no one objects to a principle which we believe to be sound in itself that we ought to take all the more care that it does not suffer in popular opinion owing to mismanagement in detail. My hon. Friend behind me seems to be of opinion that the class of men seeking Indian appointments has become, socially speaking, lower than those who were formerly sent out; but I cannot gather from the information which I have obtained on the subject that that is the case. So far as I can form a judgment, I believe that the social position of those young men who go out now is pretty much what it has hitherto been; while there would appear to be a higher degree of average efficiency than before—though it is but fair to say that a certain number of those who have come in at the bottom of the list when the competition was not so severe did not reach a very high standard of efficiency. Again, it is said that these well-paid Indian places are not sufficiently valued to make the competition for them real and effectual. But the answer to that allegation is the simple fact that there have been about 450 vacancies during the last ten years, and that for these there have been about

1,300 candidates, or very nearly at the rate of three candidates for each place. It must at the same time be acknowledged that so far as Oxford and Cambridge are concerned the percentage of competitors for these appointments is considerably less than at first; nor do I think this fact is attributable to accident, because the percentage has from the commencement gone on steadily diminishing. The percentage was at first 70; it shortly after fell to 50, and it is now only a little above 25. There are, however, in my opinion, reasons for this falling off altogether independent of the character of the examination. In the first place, it is only within the last ten years that many tutorships, scholarships, and other appointments of various kinds have been open to free competition for the great mass of students at the two Universities—many of them having been previously in private patronage or at the disposal of a few persons. Those endowments draw off a great number of those who would otherwise compete for appointments in the Indian Civil Service. Then we must not leave out of sight the great tendency on the part of young men at the present day of the very class who formerly went out to India to enter into new professions, like that of civil engineering, or to go to Australia or some other colony, where they find a better climate than that of India, and a career which they prefer. We have to take into consideration, also, the enormous increase which has taken place in the wealth of the country during the last few years, and the consequent diminution of the relative, though not of the absolute, value of those Indian appointments. All these circumstances show a great change from the state of things even a few years ago. Again, there has been for some years a great dislike to go to a country where scenes of so deplorable a character have so recently taken place, and where the feeling between the Native and European population was of late notoriously bad. That feeling I believe to be fast passing away, but it must not be put out of view; but everybody must be aware that much higher emoluments than a man can obtain at home must be offered in order to induce him to leave this country to enter the Indian service. I myself have had some small experience of this fact, for I well remember — when I was Secretary of State for India — and I daresay my right hon. Friend opposite knows the case to which I refer — that a legal appointment in India worth £5,000 or £6,000 a year was declined by a member of the English Bar who not long afterwards accepted a County Court Judgeship in England. These circumstances are, I think, sufficient in themselves to explain why the competition for these appointments is not greater. Again, something has been said as to the period of probation, and perhaps I may be allowed to say a word on that subject. Reference has been made to the length of the interval elapsing between the period of examination and the time at which the Civil servant goes out. This, I am afraid, is a matter of necessity. The difficulty arises in this way. If the competition is to be in subjects especially and solely Indian, then you must limit the competition altogether to those who for a long course of years have prepared themselves for that particular competition, thereby excluding all those whose education has run in the ordinary channel. On the other hand, if the examination by which the competition is decided is to be on general subjects, and if, immediately afterwards, those who succeed are sent out to India without farther preparation, they will arrive there totally ignorant of all the special subjects in which knowledge is required for practical purposes. It was determined in 1858 that a year's interval should elapse between the competition and the sending out of the Civil servant to India, and that this interval should be devoted to the study of special Indian subjects, the knowledge obtained in which should be tested by an examination; and that to support the young civilian during that time without his being a burden upon his family an allowance, fixed at £100, should be made by the State. Since that time the Government of India have come to the determination greatly to shorten the period of probation that is required in India itself, and to set the young men to practical work immediately on their arrival in the country. I think it is well worth the while of the Government to deal liberally with young men in that position, because one of the greatest inducements to young men in a certain class of life to compete for these appointments is the knowledge that from the hour they succeed in their competition they cease at once to be a source of expense to their families. Many men would not compete at all if they believed that for three or four years, or even for two years, after passing the examination they would continue to be a charge to their families. I should desire that the whole expense—I mean, of course, the whole reasonable expense—of supporting these young men should be borne by the State from the time they succeed in their competition to the time when they are sent out to India. Then the question of whether they should be maintained in a separate establishment devoted to that purpose is one requiring special consideration. They cannot be sent, as is sometimes proposed, to either of the Universities—they ought to be kept in London. I agree with the hon. Member who spoke last that law is a most important branch of the subjects with which they will be called on to deal; and for the purpose of studying law attendance at the courts is essential. London, therefore, is the place where they must be maintained. By some it is thought desirable that they should be brought under one roof with a view to their better discipline. A compromise between the idea of a college and of a private residence might, I think, be suggested. Those whose parents live in London might fairly enough be allowed to live with them; those coming from a distance might probably be required to live together. I throw it out for consideration whether these candidates might not at least have the option of being lodged and maintained in an institution established, more or less, under Government authority. There is only one other subject remaining of those that have been touched upon, and that is the variety of subjects comprised in the examination. On that subject I quite agree with what has been written in the very able pamphlet more than once referred to. I think it possible that the examination is too diffused and spread over too many subjects. I can quite understand how that arose. I am perfectly sure that did not arise from any wish to set up this special teaching in opposition to the ordinary teaching of public schools; but I can quite understand, when the object was to secure an examination that should be wide, general, and sifting, how it was thought expedient to give to every boy, wherever he may have been taught, and whatever he may have learned, the opportunity of utilizing anything in the shape of useful knowledge acquired by him, and to make it count in the examination. That was the principle; but, certainly it is possible we may have carried it too far. Where a multitude of subjects are admitted, no doubt those who have a facility for learning a little of a great many things enjoy advantages over those who, with greater powers of concentration, do not possess the same power of familiarizing themselves with a variety of topics. But the evils complained of may be easily met, in either of two ways. One would be by limiting the number of the subjects themselves; and the other — which I think would be equally effective, and would not involve such a large change in the character of the examination—would be to require a rudimentary knowledge of any subject in which the candidate intends to pass, but not to allow that rudimentary knowledge, up to a certain point, to count for marks. The effect of such a rule would be that while those studying a subject, with a view of obtaining high marks, would be in no way discouraged, those who were getting up the beginnings of half-a-dozen different subjects with no intention of going on with any of them, would find that calculation rendered useless. I believe, in that way, without any considerable change of the general scheme, the evil complained of might be rectified. I will only say in conclusion, that nothing is more easy than to criticize an examination paper, and nothing more difficult than to set one.

Mr. HENRY SEYMOUR said, he was afraid we did not get the best men under the present system. It was much to be regretted that the effect of the Civil Service Examinations for India had not been to bring forward more men who had passed creditable examinations at Oxford and Cambridge, as it was originally supposed they would have done; whereas, on the contrary, the number from that class had of late years fallen off very considerably. The reasons brought forward to account for this disappointment were inadequate; for he did not believe that scholarships and tutorships at the Universities—the prospect of going to feed sheep in Australia, or of emigrating to any of the other colonies—possessed nearly the same attractions for young men in this country, as were exercised by the Indian Civil Service. He believed that many eligible young men were deterred from competing for the posts which it offered by the nature of the examination instituted, which was conducted on principles diametrically opposed to those recognized in our great schools of learning. With regard to the proposed college, he rejoiced that Haileybury had been abolished, and he thought it would be a great mistake ever to revive it. He thought it was a decided advantage that the successful candidates should pass two years in London after their examination. If young men could not be trusted to encounter the temptations of two years of English life, how were they fitted to be sent to India, there to be placed in responsible positions, and necessarily under much less supervision than they would be in England? The best probationary process that could exist was to give them enough to live upon at home for two years, and then to test at the end of that time what advance they had made in proficiency. There were four great functions to be discharged by the Civil servants of India. The first was that of the law, the second the collection of the revenue, the third the educational department, and the fourth the civil engineering department. It seemed to him to require serious consideration whether it would always be necessary to recruit the Indian Civil Service from England, and whether it might not be possible to place the uncovenanted civil servants and general civil servants upon the same footing. The question might be one of a proximate or a remote future, but we ought, at any rate, to be preparing for it; and one of the first steps taken should be to alter the present position of affairs with regard to the legal department. At present the Indian law department was managed partly by barristers from India and partly by the Civil servants. Now, he believed it would be a very great improvement if every man placed upon the judgment-seat in India was required, like our own Judges, to have practised in the courts. The establishment of a legal college and of a Bar in India itself would attract to it a vast number of persons whose adhesion would be very desirable. Nothing could have a more beneficial effect upon native society in India than a training to understand their own rights and the rights of others. He thought the hon. Gentleman opposite had done well in calling the attention of the House to the subject, as it was one which demanded serious and immediate consideration.

Mr. SMOLLETT said, he would not enter into the question of examination for the Civil Service of India, nor into its method. He wished to discuss a different matter altogether—namely, as to how this competitive system of examination answered, and what its practical results were at this time. When he entered the service of the East India Company, a great many years ago, the system in the service was entirely a nomination one; but the nominee, when he obtained an appointment from a member of the Board of Directors, was not permitted to proceed to India without some qualification. He was required, in the first place, to have the elements of the education of a gentleman; and for that purpose he was compelled to appear before a Court of Examiners, who examined him in English composition, Greek and Latin, and arithmetic, as far as vulgar and decimal fractions. If the young gentleman could pass that ordeal he was then sent to Haileybury, where he had for two years to submit to the discipline of the place, and where he was required to pass through four examinations in various kinds of knowledge taught in that seminary. He (Mr. Smollett) did not say that those examinations were very stringent. They were quite the contrary. But at all events these regulations showed that some precautions were then taken to qualify young gentlemen for the situations it might be their lot to fill in India. Now, under that system a very excellent service was organized. That service had, at all events, a great advantage. It possessed a large amount of *esprit de corps* which was a very great advantage in a country like India, where its members were frequently scattered over the country in twos and threes at a station, performing diverse duties, and ruling, it might be, in a somewhat arbitrary manner 2,000,000 or 3,000,000 of people. When men were thus brought to pull together, their duties were generally well performed; but when they were at variance and would not visit each other, intrigues and disorders were likely to ensue. He was not going to pass a panegyric on that service in connection with which he had passed some years of his life. He confessed he had obtained little distinction in it, because there were scores of persons at that time possessing greater talents than himself. He remembered, however, how Lord William Bentinck spoke of that service, and there could be no better judge on the subject than that distinguished nobleman. When that noble Lord was on his way to assume the office of Governor General, he landed at Madras, where he had been previously employed and was well-known, he received a congratulatory address from the people of that Presidency. The reply made on that occasion by Lord William Bentinck was to the effect that he knew India well, having been largely employed in various parts of it, and that having been largely engaged in political life, he had much opportunity of judging, he could conscientiously declare that no Prince or Potentate in Europe possessed a better or abler set of public servants than did at that time the Court of Directors of the East India Company. Well, the system that then prevailed, under which Civil servants were sent out to India, had entirely passed away. The Court of Directors had been themselves extinguished, and a different system had since then been introduced. He held in his hand a work which in a few words described what was the present system. The writer said —

> "The general administration of British India is conducted in its higher department by Europeans, who form what is designated the Covenanted Civil Service. Appointments therein may now be contended for by all the natural-born subjects of Her Majesty above eighteen and under twenty-three years of age, of sound health and good moral character. The elections are decided by the result of public examinations, the first of which is in English composition, the literature (including the laws and constitution of Britain), and history of England, Greece, Rome, France, Germany, and Italy; in mathematics, pure and mixed; in natural science (chemistry, electricity, magnetism, natural history, geology, and mineralogy); in moral science (logic, and mental, moral and political philosophy); and in the Sanscrit and Arabic languages and literature. Six months afterwards the candidates are subjected to a further examination in English composition, in the history and geography of India, and in the elements of the Bengalee or of the Hindoostani languages."

Now that was the present system. What were the results which had come from it? He would admit frankly that he was prejudiced against this system when it was first introduced. Having been brought up in a different school, he disliked this great revolution suddenly introduced. He believed, and did still believe, that it would greatly destroy that *esprit de corps* of which he had just spoken, which had formerly existed in the Civil Service of India. Whilst fully sensible of the advantages of the former system, he was also aware that there were numerous disadvantages attending it. He knew the narrow field from which the Directors made their choice of persons to be sent out to India. Personally, he had no knowledge of the candidates now sent out to India; but from inquiries which he had made from gentlemen fully capable of knowing the facts and of expressing an opinion upon them, he was informed the present class of men sent out to India were not popular there—they were disliked by the Natives, and they were men of whom it might be said, that whatever might be their acquirements in literature and the sciences generally, many of them were emphatically not gentlemen. There were no persons in the world better bred than an educated Native of India, and no one more appreciated gentlemanly manners and demeanour than the enlightened Natives of Hindustan. He (Mr. Smollett) had by chance put into his hand a work, which was no doubt known to the right hon. Gentleman the Secretary for India, as well as to many other Members of that House. It was entitled, *Progress and Present State of India,* and was written by Mr. Montgomery Martin. That gentleman had spent some years of his life in India, and knew the people well. The compilation, however, which he printed and published was not based upon his own authority or experience exclusively. It was said to be a manual of general use, based on official documents furnished by the authority of Her Majesty's Secretary of State for India. There was a chapter in it devoted to the Civil Service, and the results of the competitive system of examination for the Civil Service in India. He would read a short extract. Mr. Montgomery Martin said—

> "Formerly the patronage of the Covenanted Civil and Military Services was monopolized by a few families connected with the East India Company. Considering that the members sprang from the middle and higher classes, and that ample emoluments, high prizes, and an immense field for the development of talent was afforded them, it is remarkable how few rose above mediocrity."

The writer went on to give the names of fifty or sixty gentleman of the Indian Civil Service who had attained to what he called celebrity, and then proceeded to say—

> "The abolition of monopoly, the open area for election, and the healthy principle of emulation, have infused new and vigorous blood into an effete system. In 1859-60 120 candidates were elected after severe competitive examinations for the Indian Civil Service; they have sprung from every class of English society; sons of druggists, ironmongers, tailors, upholsterers, drapers, undertakers, farmers, stewards, millers, butchers, printers have obtained appointments by the exercise of talents which they would not formerly have been permitted to bring inside the walls of Haileybury. And now, 'there is no official, from the Governor General down to the district officer, who has not

expressed his satisfaction with his competitive subordinates, with only a few exceptions. The superiority of the new men as industrious, conscientious, and able officers is as undoubted as the fear that they would prove mere book-worms has proved unfounded.' "

Well, that was the result of the competitive system as testified to in an authentic statement based upon documents furnished by the Secretary of State for India himself. It appeared then, according to authentic authority, that this new system of unlimited and unrestricted competition had proved an unqualified success. They were told that the system which had become utterly effete under the old principle of nomination had been rendered fresh and vigorous by the infusion of democratic and plebeian blood which was introduced into it. Very possible the manners of the Service had a little deteriorated; but then their brains had improved. Under the authority of the right hon. Gentleman the Secretary for India he retracted his former views and adopted the new system as a success. If, however, it had been successful in India, why should it not be applied to the higher ranks of Civil servants in this country? He had heard that when the noble Lord the Member for King's Lynn (Lord Stanley) was Secretary for India a competitive examination of 300 or 400 clerks took place for three or four vacancies as writers for India, and they were examined in metaphysics and in moral and mental philosophy. Now that was a farce. All that was wanted in a clerk was character and a knowledge of English composition. The Civil Service of India was the greatest service in the world, and its emoluments began at a point at which those of the Queen's service left off in this country. An Indian Civil servant began with a salary of £600 a year, and might rise to £8,000 or £10,000. Why, he asked, was this unrestricted competitive system not applied to the diplomatic service; the term effete might well be applied to the diplomatic service, and the system that had succeeded so well as regarded Indian appointments might be applied to that service. Years ago the diplomatic was re-modelled; but Earl Russell had taken care not to give it a plebeian character, for he had made a rule that for two years the nominees should serve without fee, with the view, no doubt, of excluding the sons of bakers and butchers from the service. The noble Earl, no doubt, thought they would smell of the shop, and had no desire that such persons should come between the wind and his nobility. As he had said, the competitive system might be applied to the higher grades of the Civil Service in this country—unless the right hon. Baronet opposite disclaimed its success in India, in which case the observations he had made would not be applicable.

Mr. GRANT DUFF after congratulating the hon. Member for Dumbartonshire (Mr. Smollett) upon his conversion, and his accession to the thin ranks of the diplomatic reformers, pointed out that the present Examiners were drawn chiefly from among men who had highly distinguished themselves at the University; and by the natural bent of their minds, and by their training, they would be disposed to show as much favour as possible to the particular class of mind to which the hon. Gentleman opposite desired to give an artificial benefit in these examinations. In our highly organized state of society, where intellectual labour was so much subdivided, specialness was a much more important product than the mind which was capable of mere general adaptability. That, however, was not the case in India; and there were many men who had done great things in India, and who had always maintained that they owed the power of doing them to the fact that they had been educated, not according to the received orthodox English rule, but on the more desultory scrambling system which prevailed fifty years ago, more than now, at the Scotch Universities. As British rule got more consolidated in India, there might not be so much want for that kind of man, but for some time to come there would be room enough for the small sprinkling who were now-a-days sent there.

Mr. HENNESSY maintained that the last Return of the Civil Service Commissioners contradicted the assertion that they had laid down a system which was inconsistent with the system of education at the public schools and Universities. The two gentlemen who stood No. 1 and No. 2 in the list had been examined in English, Greek, Latin, French, German, Italian, and two Eastern languages; and, putting aside the two Eastern languages, these were just the subjects which were taught at our public schools and Universities. The same might be said of all the other gentlemen who had passed successfully. It was a fact, too, that those who had succeeded had taken up a smaller number of subjects than the unsuccessful candidates. He heartily agreed with what had been said by the hon. Gentleman near him, that the competitive system ought to be applied to the whole of our Civil Service.

Mr. KINNAIRD expressed a hope that the claims of the Natives of India to be employed in the Civil Service of the country would not be overlooked. He had not heard a word in the debate with reference to them.

Mr. TORRENS called the right hon. Baronet's attention to the inconvenience and hardships which had been occasioned by the recent alteration of the maximum age at which candidates could be examined from twenty-two to twenty-one years of age. He had recently received a letter from a gentleman who said that he had spent a large sum of money in educating his son specially with a view to this Indian examination. His son had foregone collegiate honours with the same view, in the hope that there would be two chances of examination, one at twenty-one and the other at twenty-two; but now, at four months' notice, he found that he was deprived of one of these chances. No doubt there were many others in the same situation. He thought a longer period might be allowed to elapse between the time at which such changes were announced, and that at which they came into operation.

Sir FREDERICK HEYGATE said, that he might state that the young man to whom his hon. Friend had alluded was a nephew of Sir John Lawrence. It was reasonable that notice should be given of any change in the rule as to age.

Sir CHARLES WOOD: Sir, I shall refer very shortly to the various observations which have been made in the course of the debate. I am rather surprised to find that my hon. Friend opposite (Mr. Smollett) should suppose that the opinions which he quoted from Mr. Montgomery Martin's book are mine. The fact is, that those opinions are those of Mr. Montgomery Martin, and I entirely disclaim any responsibility for them, though Mr. Martin had recourse to official documents for his information. My noble Friend is mistaken also in respect to the nature of the examination which took place under the noble Lord who preceded me in the India Office (Lord Stanley). I think there were thirty vacancies when the noble Lord introduced that examination; and it was of a most elementary character, being what is commonly called an examination in reading, writing, and cyphering. I do not think it necessary to go into the question of competition for the Indian Civil Service. That question has been settled for some years. The real question which the hon. Gentleman desires to raise is as to the existing examination—whether it shall be continued as it now stands, or shall be modified. An hon. Gentleman, as I understand him, says that the examinations have been conducted as if it was rather the object to discourage those candidates who go up from the public schools and the Universities. Having gone through a public school and a University myself, and being most grateful for the education I received in those institutions, I should be the last man to look with disfavour on the examination and the admittance into the Indian service of candidates who had received their education in that way; but the hon. Gentleman must recollect that the principle on which the Indian Civil Service was thrown open was that it should be open to all British subjects of all parts of the world; that it was as much intended to admit the Native Indian, if he proved himself qualified, as the son of an English gentleman. And I am happy to say that a very intelligent Hindoo from Bengal has passed a successful examination, and now holds an appointment in the Indian Civil Service. I hope that that appointment will convince the Natives of India that such as show themselves qualified will be permitted to participate in the government of the country, and that consequently considerable impetus will be given to their desire to acquire improved education. I am sure that their doing so will strengthen our position in India, and therefore I think we should be acting unwisely, and not at all in accordance with the principle of those examinations, if we were to exclude from the subjects one of the learned languages of India. I can assure hon. Gentlemen that the principle on which the examinations were founded and the subjects were selected, was not to give the slightest preference to any one kind of education or any one kind of learning. The intention was that the subjects should be of so universal a character as that persons educated in England, Scotland, or Ireland—whether at a public or a private school—or in Benares, Bombay, or Calcutta, or in any other part of Her Majesty's dominions, should have an opportunity of presenting themselves for examination with the view of entering the Civil Service of India. It was intended that the examination should test not the candidate's knowledge in any particular subject, but his acquaintance with four or five, or some other number of subjects, so as to show his capacity, his general education, and what the hon. Gentleman calls his intellectual adaptability. It was believed that if the candidate was successful in such an examination, it would show his capability of acquiring that further knowledge which would render him fit for the service. The hon. Gentleman who introduced this subject seems to think that the examination, as now conducted is rather directed against the English Universities; but I think if hon. Members will look to the names of the Commissioners by which this system was recommended, they will see that they were men not likely to advocate anything which would have a tendency adverse to University education. It encluded Lord Macaulay, Lord Ashburton, the Rev. H. Melville, Chaplain of the East India Company, the Rev. B. Jowett, and Sir John Lefevre. Every one of them a University man—every one of them a distinguished University man. The system which they recommended has been pursued up to the present time, and those who conduct it are generally University men. I do not believe there is anything in the present system of examination which tends in the slightest degree to discourage the men from the Universities. I quite admit that the proportion of candidates from the English Universites has decreased; and I am sorry for it, because I think the education a man gets in an English University, independently of intellectual acquirements, is one eminently calculated to fit him for service in India. But I think the circumstances which the noble Lord (Lord Stanley) has mentioned sufficiently account for that circumstance. I have inquired the opinion of authorities at the University on the subject, and their opinion seems to be that the openings in this country for young men of position are so numerous and so constantly on the increase as to prevent any great desire on the part of young men from the University to proceed to India for the purpose of spending a large portion of their lives in the Civil Service. But there is another cause which the hon. Member seems to forget — namely, the great increase of other places of education in the United Kingdom. Places of education have been brought under the notice of the public, and have taken a permanent position which a few years ago had never been heard of. At the period to which I refer a large proportion of the sons of persons in the better ranks of society went to one or other of the Universities; now there are a great number of establishments independently of the English, Scotch, and Irish Universities, in which young gentlemen receive an education which qualifies them to compete for Government appointments. Now, with reference to the system of cramming, my attention had been called to the circumstances which the hon. Gentleman mentioned, and I suggested to the Civil Service Commissioners whether it might not be possible to revise the subjects of examination. There is not the slightest doubt that, to some extent, the tendency of all competitive examinations is to encourage cramming; but, though in my time what is called a "crammer" or a "coach" was hardly known in the University, I believe that is not the case in modern days. The objection taken to the present system of examination is stated to be this —that, by the accumulation of marks for knowledge in many less important branches of learning of which candidates possess a very limited knowledge, a greater acquaintance with larger subjects is overborne. As far as I can test the objection by the result of the last examination, it does not seem to be well founded. Forty candidates were selected at that examination, and Sir Edward Ryan went over the marks with me. It turned out that if you took the marks for five subjects in addition to English, thirty-nine out of the forty would have been in exactly the places they held. This shows that in all probability the system which the hon. Member would recommend—that of confining the examination to five subjects—would have been totally ineffectual in producing a different result. By limiting still further the number of subjects, you would decrease your chance of securing men of general capacity; but I believe that by not allowing credit for any subject in which the marks were not above a certain number, the object which the hon. Member has in view might really be attained. I called the attention of the Commissioners to that point, and they replied that by a more careful system of marking every desirable object can be attained, without deviating from the great principle that the examinations should be open to all. Then the hon. Gentleman has referred to the change which has been made with regard to the time which the candidates spend in this country. It perfectly true that the great object which we wish to attain with reference to these young men is that they should acquire a thorough knowledge of the law—not merely the theoretical acquaintance with its principles which can be imparted in the lectures of a professor. Part of their duty as civil servants in India consists in the administration of the law. As Judges or Magistrates this knowledge will, of course, be indispensable, and even as collectors of Revenue it will be found necessary, because these officials have to decide upon revenue cases. There is hardly a position in India which can be occupied by one of the civil servants of the Crown where a knowledge of the law is not very essential. For that reason, therefore, we regard their attendance in our courts of law as being most necessary in order that they may see practically how trials are conducted and how justice is administered. While I regret in many respects, the abolition of Haileybury College, I must admit that it was incompatible with the acquisition of that practical knowledge of the law to which I have referred. Formerly it was the custom for a young man to remain one year in London, and another in one of the Presidency towns in India; but it was found that this latter did them very little good. It has been consequently proposed that they shall henceforth spend the two years in London, and an allowance will be made to them on account of the expense to which they will thus be put. The question, no doubt, remains whether any establishment should be formed in the neighbourhood of London, and to this subject we have given a good deal of consideration. I consulted upon this point the Civil Service Commissioners, and they were, on the whole, indisposed to my taking the necessary steps for the formation of such an establishment. The Commissioners stated that a very large proportion of the candidates spent their time at home, some with their families and many with their relations, and that under this system the moral superintendence was better than that which they would get by living in colleges. Upon this point I have entirely reserved my own opinion, because we shall see how the system works. If after experience we should deem it advisable to establish such a college in London we shall not shrink from taking the necessary steps. In consequence of these changes it was found necessary to reduce the limit of age, especially as the Government of India were strongly of opinion that the present high limit of the age at which civil servants were sent out to that country ought not to be extended. The reduction was therefore, made from twenty-two years of age to twenty-one. I have stated that as to the length of notice of the change, I have done only what was done on former occasions, and I cannot admit that I possess that kind of vested interest in the prospective examinations which my hon. Friend claims for them. Our object is to go into the world and to get well educated young men wherever they are to be found, no matter where or in what manner their education has been acquired. We wish to obtain the best cultivated young men, whether they have devoted their time to Latin or Greek, to Sanscrit or Arabic, to French or German, or to any other department of knowledge, without requiring that that knowledge should have been imparted at a commercial school, a university, or any other particular establishment. We wish to have them well educated up to a certain point, because we find that that very education which they have acquired renders their after course more easy. I am therefore sorry that I cannot deal with the representations of my hon. Friend. I have, however, a pretty good suspicion of the party by whom he was applied to. With regard to the Motion of the hon. Gentleman, I may say that I have not the slightest objection to the production of the papers for which he asks. The only objection I have is, that it appears to me to be putting the House to an unnecessary expense to have them printed in a separate form, because the Report of the Civil Service Commissioners will be laid upon the table of the House in due course, and these papers will be found in the appendix to that Report.

MR. VANSITTART said, he could not quite agree with the right hon. Baronet (Sir Charles Wood) that the object of competitive examination was to throw the Indian Civil Service open to all classes, whatever their colour—it was to get the best educated men they could. He believed it was the opinion of Lord Macaulay if the Civil Service of India were thrown open to competitive examination, the result would be that the "flower of the educated youth of England would flock to the East." The reverse, however, had been the case, and for several reasons. The Indian Civil Service was not what it had been, owing to the fact that the best prizes had been thrown open to briefless lawyers and other outsiders. Then again the candidates had no guarantee that their privileges, curtailed as they already had been, would not be still further shorn of the few good things still remaining. It was a well known fact that young civilians going to India, on learning the altered state of the service, declared that they had been deceived, and that if they had been aware of the manner in which the appointments, pay, retirements, and pensions had been cut down, they would never have left England at all. Undoubtedly, the first candidates under the competitive system were young men of a superior order; but a change for the worse had rapidly set in, and the young men selected in the present day could not compare with the Haileybury youths for *esprit de corps* or *physique,* and did not take anything like the same interest in the service. He held in his hand a pamphlet published upon the most excellent and practical authority, by Mr. W. Nassau Lees, L.L.D., Secretary of the Board of Examiners, Persian Translator to the Government of India, and Principal of the Mahommedan College. The writer of that pamphlet condemned the present system and ridiculed the idea of the candidates being obliged to obtain a certain number of marks, because he said that—

> "It only lead to young men rushing over to France or to Germany in order that by that means they might acquire a knowledge of the French or German languages, and thus obtain 100 or 150 more marks for their score, which would be of no practical use to them in India."

Dr. Lees was also of opinion that the education of Indian Civil Service officers should be commenced and completed in England, to avoid the necessity for their being detained for several months at the capitals of the Indian Presidencies to attend lectures. Mr. Lees further thought that the establishment in England of a college similar to Haileybury would confer a great boon upon the service, and would reduce the Estimates for the Indian Budget by £30,000 per annum, as compared with the present system. He (Mr. Vansittart) did not think the competitive system had answered the expectations of Lord Macaulay and others who had advocated its introduction. Compared with what it was formerly, the service at present was very indifferent; and that was one of the explanations of the difficulty there was in persuading University and other men of superior talents to enter it.

MR. ARTHUR MILLS, in reply, said, he did not wish to reduce the number of subjects of examination; but he thought it would be sufficient to examine the candidates for the service on three or four branches of knowledge, irrespective of their place of education. He also thought that the time for the candidates to go out should be fixed, and not subject to arbitrary change. After the statement of the right hon. Gentleman that the papers would be published in the appendix of this years' Report, he did not wish to press his Motion.

Motion, by leave, *withdrawn.*

BANKRUPTCY ACT (1861).

RESOLUTION.

MR. MOFFATT said, he rose to call attention to the Report of the Select Committee on the Bankruptcy Act of 1861 and the existing state of the Laws in regard to Debtor and Creditor, and to move—

> "That, in the opinion of this House, the Report of the Select Committee on the Bankruptcy Act of 1861 deserves the prompt and serious consideration of Her Majesty's Government."

The subject, he said, was a most disagreeable one to all parties—to the debtor who had cheated his creditors, to the creditors who had lost their money, and especially so to that House, seeing that upon the Legislature rested the responsibility of the present system by which fraud was made so easy and profitable to those who chose to take advantage of the Act. Without going back to the time of the Tudors or the early Georges, he would give a brief outline of the history of bankruptcy during the latter part of the present century, which would be found exceedingly instructive. Forty years ago bankruptcy cases were under the control of that somewhat slow and expensive tribunal the Court of Chancery, while the creditors managed, and in many cases mismanaged, affairs for themselves, because the assignees were under no official control from the Court. About that time a great bankruptcy reform measure was brought forward by Lord Brougham. That measure, instead of proving a great success, worked most unsatisfactorily. The great alteration was then made, and Commissioners and official assignees were appointed, and thus the matter remained for twenty years. During that period matters went from bad to worse, and it was found that official assignees were at least as expert as creditors' assignees were in abstracting funds from the bankrupt's estates. To show how unsatisfactory Lord Brougham's Act was, he need only state that during twenty years there were no less than eleven Acts of Parliament passed for the purpose of amending it. Eventually, there came the Consolidation Act of 1849, which, again, had rendered matters worse than they were before. Then came the Act of 1861, which had done a great deal more harm than good. That Act expunged the distinction between the trading and the non-trading communities. The results were somewhat startling, for the trading community had been, in consequence of the manifold evils of the system, in a great degree prevented from availing themselves of the benefits of the Bankruptcy Court. Owing to the exertions of the Lord Chancellor, an inquiry had been instituted into the way in which the surplus fees in bankruptcy were dealt with. They should be paid into the Bankruptcy Fee Fund. The result of that inquiry was that, while in 1862—during which year there was no inquiry—there was only the sum of £1,300 paid in; it increased in 1863, when there was inquiry, to £13,620, and in 1864 to £45,158. The result of the new system was that in this great country the Bankruptcy Court during the year ending the 11th of October, 1864, collected only £677,536, on which the official charges amounted to £140,000; leaving to the creditors under all the bankruptcies in the United Kingdom £530,000. In 1843, when the commerce of the country was not half its present amount, there were 1,112 bankruptcies, and the sum collected was £1,067,976. Last year there were 7,200 bankruptcies, and the amount collected and divided among the creditors was £530,000. And if they analyzed the list of bankruptcies for last year, they would find that out of the 7,200 bankrupts, 6,600 were made bankrupts on their own petition, and only 600 at the instance of their creditors. It would further appear that of those made bankrupts on their own petition, 5,324 paid no dividend at all, and 848 a dividend under 2*s.* 6*d.* in the pound; 5,335 bankrupts got their discharge, and only 80 out of 7,224 were refused their discharge—a proof either of marvellous laxity in the law, or of wonderful honesty in the bankrupts. The present position was practically this—Wherever there was an estate with any prospect of a dividend the creditors agreed to any course, compromise, composition, or assignment, rather than go to the Court of Bankruptcy. The natural consequence was that every debtor knew perfectly well he had an instrument in his hand by which he could cheat his creditors, and the only question with him was what was the smallest amount his creditors would be willing to take in lieu of 20*s.* in the pound. That was done in two ways, both of which were inaugurated by the Act of 1861, by composition or assignment. Composition the creditors generally preferred. To give a most striking proof of how this system of allowing debtors to evade their debts was telling on the mercantile interests of the country he might state that in 1863 the number of compositions was 640, while in 1864 the number was 1,348. In the last three months of 1864 there were 302 registered deeds compounding for less than 5*s.* in the pound, and of these 244, or nearly five sixths, were under 3*s.* in the pound Some were as low as 3*d.*, 6*d.*, and 8*d.* in the pound. Anything was taken rather than go through the Bankruptcy Court. The great mass of the insolvency of the country was settled under assignments. There was scarcely a week passed without the appearance in the "Money Article" of the London newspapers of intimations that such a firm, extensively engaged in business, perhaps only a few months old, had suspended payment, and they had placed their affairs in the hands of an accountant — a friendly accountant, or their own solicitor. The accountant or solicitor said to the creditors, Wait; we shall inspect the books and tell you what will happen. The creditors were kept at bay. The friendly solicitor or accountant—many of whom were firms of the highest respectability—took the books as they found them, and never inquired below the surface of the accounts. Any indiscretion, any malversation, any amount of abstraction from the assets of the estate might pass undiscovered. The creditors had no means of knowing it. They were called together, and simply told the estate would pay 7*s.* or 10*s.* in the pound; there was an assignment, a composition, and there an end of the transaction. The result was generally a serious disappointment as between the estimate first made, and the amount paid under the deed. It was not pleasant to mention instances, but he knew two or three great failures within the last eight months where the accounts looked as if there would be 20*s.* to every creditor, and where the debts at the present time might be bought for 2*s.* or 3*s.* per pound. The insolvents passed in this way without any censure, and without the slightest difficulty or trouble to themselves. In many instances the insolvent made a great profit by this mode of settlement. It was a disgrace to the Legislature and a discredit to the country that such a state of law should exist. It did exist to an extent the House would hardly believe. He had obtained a return of the deeds registered in the Court of Bankruptcy and in the office of the Chief Registrar during the months of November and December, 1864, showing the amount of stamp and *ad valorem* duty paid thereon, the amount of property or composition comprised therein or distributable thereunder, and the amount of unsecured debts above £10 comprised therein. He found that in the month of November, 1864, the deeds registered were 455, the amount of estate and effects comprised or distributable was £1,047,700, and the amount of unsecured debts above £10 was £3,938,125. And in December, 1864, the deeds registered were 518, the amount of estate and effects comprised or distributable £1,246,600, and the unsecured debts above £10, £4,049,249. That would be at the rate of £48,000,000 a year. It might be objected that these were months of extreme pressure and exceptions to the general rule; but he had obtained another return which showed that this was rather the normal state in which composition deeds now were. The number of deeds registered in the two months he had named was 973, with a stamp duty of £6,000; while the number for the six months ending 11th April, was 2,800, with a stamp duty of £15,614, and the stamp duty was only a partial test as it extended only up to £80,000. The state of the law as effecting debtor and creditor was as bad as could well be imagined. It was well for the House, then, to inquire what might be the remedy. Very few remedies had been suggested except by the practice in Scotland. It was surprising how little attention had been given to this subject. Take what had occurred before the Committee of last Session. The witnesses generally had not grappled with the question whether the principle was a right one on which they had heretofore legislated. All the attacks upon Lord Brougham's proposition were on the question of patronage, but nothing was said with respect to the benefit of the estate. He thought that principle had been proved to be essentially and fundamentally wrong. He believed the best system would be to leave creditors to manage their own affairs with their debtors, and that the State should interfere with them as little as possible. If the debtor had been guilty of fraud, let him be brought before the ordinary tribunals of the country; but the creditors should not have the power to punish the debtor in any way. Under the old law the creditor had power to take the body of the debtor, and that he believed was the least profitable and advantageous resource they could give the creditor. The Committee recommended the abolition of imprisonment for debt — that they should take away from the creditor the power of coercing the body of the debtor. They proposed also that the creditors should have the fullest and freest access to the property of the debtor, and that from the moment of insolvency it should vest exclusively in them. The Committee proposed that they should abolish the whole of the present system of bankruptcy, and that they should in lieu thereof give the creditors the power of choosing their own officers and managing their own affairs themselves, only taking care to supply them with efficient supervision in regard to the officers whom they might employ. This difficulty undoubtedly occurred in settling that question—that it was practically impossible to get the individual creditors to look after their own affairs and those of the general body of the creditors; and consequently the remedy recommended by the Committee was the remedy suggested by the Scottish practice, and which had been sanctioned by a successful experience of ten years. The main change proposed by the Committee, then, was the total abolition, as soon as might be practicable, of the whole system of bankruptcy as it now existed in practice. One thing, he thought, was quite certain—namely, that a worse system than the present one could not be devised, and any change which they could make must be for the better. The measures proposed received the most careful consideration from the Committee, and he thought the Committee were greatly encouraged in the somewhat bold course which they had adopted by a communication made to them by a noble and learned Lord who had taken a great interest in that subject. The Lord Chancellor had addressed to him, as Chairman of the Committee, a letter, in which he said —

> "Is it not a mistake to attempt, in a system of rules for the collection and distribution of the assets of a bankrupt, to create a code for enforcing commercial morality?"

He quite agreed with the noble and learned Lord as to that. The letter continued —

> "A very large part of the present bankruptcy law relates to the manner in which a certificate or discharge shall be granted or refused to a bankrupt, to his protection from arrest, to the liability or non-liability of future acquired property, and to the punishment of the bankrupt in the event of his being found to have committed any act which the bankruptcy law treats as contrary to commercial integrity. This attempt to combine the punishment of the dishonest or reckless debtor with the collection and distribution of his remaining property is in my judgment a very great mistake. It has led to the most expensive and most unsatisfactory and imperfect part of the present system. I would abolish it altogether. If a man has committed a fraud, let him be punished by the existing criminal law. If that be not severe and stringent enough, make it more so; but do not attempt to administer criminal law, or *quasi*-criminal law, in bankruptcy. Let this be the law: —On a man becoming bankrupt grant him, on his surrender, protection from imprisonment for debt (so long as that absurdity continues), but let his future estate remain liable to his debts until he gets a voluntary discharge from his creditors. Let it be his business to obtain such discharge. If he does not succeed in obtaining a discharge from all his creditors, let him stand, as to his future estate, in the shoes of those creditors who have signed his discharge. All other enforcement of penal law, or infliction of penalties, is a mistake. At present, two separate functions are confounded—the civil and the criminal. The Court of Bankruptcy properly has but one function—the collection and distribution of the debtor's assets, present and future. The law as it stands first assumes that it is its duty to provide the honest bankrupt with a discharge. It has no such duty, but having begun with this false principle, it is then entangled in the necessity of inquiring into the man's honesty or dishonesty, by artificial rules which it has constructed for this purpose. All this is a gross mistake, and has been the fruitful source of the expense, uncertainty, and dissatisfaction that now attend the administration of the bankruptcy law."

Now, in that he believed was contained the whole germ of a thorough reform in the present law of bankruptcy, and also a remedy by which they might make the law of debtor and creditor just and equitable as between them both. He concurred very much, although the Committee did not, in what the Lord Chancellor said in that communication, as to making the discharge of the debtor depend entirely on the acquiescence of the creditors. He could understand the State interfering to maintain the integrity of contracts between debtor and creditor, but he could not understand the State interfering to violate their integrity. He said, let the debtor and creditor settle the matter between themselves; and as to the payment of 6*s.* 8*d.* in the pound giving a man a right to a discharge, he did not agree with the Committee. In the matter of assignments he thought it was still more objectionable. However, the recommendations of the Committee, if embodied in an Act, would, in his opinion, produce the greatest possible benefit to the mercantile interests. He trusted it was not necessary to urge upon the Government that on a question so vast as that, involving certainly an annual tax upon commerce of considerably more than £50,000,000, or about double the yearly charge for the National Debt, the Resolution which he had ventured to lay on the table was deserving of prompt and serious attention. The hon. Member concluded by moving his Resolution.

Mr. AYRTON, in seconding the Motion, said, he wished to explain the nature of the Resolutions to which his hon. Friend was anxious that the House should then give a general approval. His hon. Friend must have satisfied any one who heard his statement that our present system of bankruptcy law had entirely failed. But if that complete failure was the only result at which Parliament had arrived after devoting itself to that subject for a period of nearly 300 years, they must approach that subject with extreme distrust of their own opinions; and he himself should have hesitated to advocate the adoption of these Resolutions had he not believed that, underlying the whole system of our legislation on that question, there were some radical errors which it was the object of the Committee to induce the House to abandon. The first of those errors was the notion that the imprisonment of a debtor at the instance of a creditor was one of the best means of obtaining the satisfaction of a debt; and it was a little remarkable that in a country like this, which professed so much respect for personal liberty, such an idea should have so long survived. In former times when violence prevailed imprisonment might have been a natural remedy in these cases; and, moreover, our system of law in those days did not give the suitor an adequate remedy when he had obtained the judgment of a Court in his favour. The result was that although the creditor had acquired a right he was practically unable to enforce it, because the law took cognizance only of property which could be readily seized and sold in the market, but not of other forms of property which were not capable of being disposed of by the officer of the court. Therefore imprisonment for debt came to be regarded as a means of reaching any property of which the debtor might be possessed. In later years attempts had been made to render various kinds of property available for the payment of debts ; but those attempts had been comparatively feeble, and recourse continued to be had to the process which the Committee now sought to abolish. It was surprising that anybody should be found to advocate imprisonment for debt, because it seemed to defeat every object which a creditor might be supposed to have in view in commencing a civil proceeding. If the debtor had no property imprisoning him could not serve the creditor, but could only prevent the debtor from earning, by his industry or intelligence, the means of meeting the demands upon him. If, on the other hand, he had property, the remedy was to search it out and make it available in satisfaction of his debts. Again, the system of imprisonment was also mischievous, because it lost sight of the line of demarcation between a civil and a criminal proceeding, the former having for its object the satisfaction in money or money's worth of some demand ; the latter seeking the punishment of the offender by imprisonment more or less severe. Again, imprisoning a person if he were involved in difficulties only added to his embarrassment, and by taking away his power of looking after his affairs tended to the greater devastation of the estate which it was desirable for the sake of the creditors should be preserved. The Committee, for these reasons, came to the conclusion that it was absolutely necessary to sweep wholly away the fallacious system of imprisonment for debt. In the case of a person who attempted to abscond from the country without giving up his property, there would still be power to detain him until he had disclosed it. The next Resolution arose out of the change which the Committee proposed to make. The law was at present applied only to debts above £50, and a large number of debtors would escape if that limit was retained. The Committee came to the conclusion that the provision of the last Bankruptcy Acts as to trader debtor summonses should be extended to amounts below £50 ; so that while imprisonment for debt was abolished, every creditor would be able to push to the fullest extent his claim against his debtor. Bankruptcy being, thus speaking, generally reduced to the simple condition that a man was unable to meet the demands which were made upon him by his creditors, the Committee were of opinion that it would no longer be necessary to maintain important Courts of Justice all over the country for the administration of the law with regard to it. All that would be necessary in 99 cases out of 100—he might say, in 999 cases out of 1,000—would be merely an authentic record of the facts of the status of the bankrupt, and this it was proposed should be made in the country by the County Courts, and in the metropolis by a special Court to be constituted for the purpose. The next evil to be cured arose from the old idea that bankruptcy was in some sort a penal proceeding, which must be pressed with great rigour against the bankrupt. The consequence was that as soon as a man failed a flight of officers were let loose against him, by whom his property was harried until it was delivered to his creditors shorn of one-third of its amount. In 99 cases out of 100 the employment of all this legal machinery was quite needless ; and the Committee therefore recommended that a bankrupt's estate should remain in his custody until a meeting of creditors had been held to express their opinion as to the best mode of dealing with it, power being given to the Judge to order the immediate disposal of anything that was so perishable that it could not be preserved for even a few days. The next alteration recommended referred to the rights of secured creditors. At present secured creditors who clearly had entirely different interests from those of creditors holding no security, exercised rights as to the disposal of the estate to the full amount of the demands. The result was that they got assignees appointed who were favourable to themselves, and who were not active in investigating what portion of the estate was really available to meet the demands of the unsecured creditors, but connived at the enforcement of their securities. In order to redress this grievance, the Committee proposed that creditors should only interfere in the first steps for the administration of the bankrupt's estate to the extent of their unsecured debts ; thus reserving to the unsecured creditors the whole power of directing the administration of the estate.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, May 17, 1865.

MINUTES.]—PUBLIC BILLS — *Ordered* — Fire Brigade (Metropolis)*; Inclosure (No. 2).*

First Reading—Record of Title (Ireland)* [151] [*Lords*].

Second Reading—Roman Catholic Oath [86]; Smoke Nuisance (Scotland) Acts Amendment* [139].

Committee—Dogs Regulation (Ireland) [127]—R.P.; Exchequer Bonds (£1,000,000)* [142].

Report—Exchequer Bonds (£1,000,000)* [142].

Considered as amended — County of Sussex* [138].

ROMAN CATHOLIC OATH BILL—[BILL 86.]

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Monsell.*)

MR. LEFROY rose to move that the Bill be read a second time that day six months. In doing so he experienced mingled feelings of regret and satisfaction. The right hon. Gentleman who had brought this matter forward with great moderation and force of argument had said that it was one which concerned the consciences of many of our fellow subjects. He (Mr. Lefroy) however did not intend to deal with it as a religious question. He would treat the matter not in respect to religion but to the Church as a temporal establishment. It had been well said by a dignitary of the Church at the present day, the Church of Christ rested upon a rock, and could not be shaken by man's efforts; but the Establishment itself was of human formation, and being affected by human attacks it became those who thought it was necessarily and essentially connected with the religious part of their worship to defend it. He must therefore remind the House that the oath now sought to be abolished had been thought necessary by the leading statesmen of both parties at the time of the passing of the Catholic Relief Bill, as a security for the Established Church in Ireland. And it was regarded in this light not only by the Protestants of all denominations, but was acquiesced in as such by the Roman Catholics, or at least those of them who agreed in the views entertained in 1826 by the Duke of Norfolk and the leading Roman Catholic nobility and gentry, as well as by the Roman Catholic Church in England and Ireland. In 1826 the Roman Catholic Bishops, Vicars Apostolic, and others of Great Britain drew up a declaration in which they said that they did not despise the obligation of an oath, that their allegiance was not divided between their Sovereign and the Pope, and that they did not claim the property of the Church established; and the Duke of Norfolk and forty or fifty Peers and Commoners adopted the spirit of the same declaration. The object of these declarations at that time was to accomplish the great purpose of Catholic emancipation. As a further proof that these views were adopted by the leaders of the Roman Catholic Church before 1829 in order to accomplish that purpose, he would refer to the evidence of Dr. Murray and Dr. Doyle, given before the House of Commons' Committee on the state of Ireland. Dr. Murray said there was no wish on the part of the Roman Catholic clergy to disturb the present establishment, nor any objection to give the most full and entire assurance upon that subject by any declaration that might be required. Dr. Doyle being asked before the same Committee what would be the effect of passing the Emancipation Act, said that the general benefit would be incalculable. He declared that "in his opinion it would put an end to those heats and animosities which then prevailed so generally, would tranquillize the public mind, and link together in harmony the various sections of the people." In a letter addressed to Lord Liverpool at the same time, Dr. Doyle stated that if emancipation were granted the country would settle down into a state of quietness; that they would not feel the jealousy which they now felt against the clergy of the Established Church; that they would regard them as brethren labouring in the same vineyard, and seeking to promote the interests of their common country. These declarations had a great effect in smoothing the way for the Emancipation Act. Sir Robert Peel, who in bringing forward that measure sacrificed many personal friendships, introduced the Bill in a very remarkable speech, from which, as showing how the authors of emancipation viewed the subject, he would read to the House some extracts. Sir Robert Peel prefaced his speech by moving that that part of the Speech from the Throne which related to Ireland, and which recommended to Parliament the consideration of the laws imposing civil disabilities on his Roman Catholic subjects be read. Those passages were as follows:—

> "The state of Ireland has been the object of His Majesty's continued solicitude.
>
> "His Majesty laments that, in that part of the United Kingdom, an Association should still exist, which is dangerous to the public peace, and inconsistent with the spirit of the constitution; which keeps alive discord and ill-will amongst His Majesty's subjects; and which must, if permitted to continue, effectually obstruct every effort permanently to improve the condition of Ireland.
>
> "His Majesty confidently relies on the wisdom and on the support of his Parliament, and his Majesty feels assured that you will commit to him such powers as may enable His Majesty to maintain his just authority.
>
> "His Majesty recommends that when this essential object shall have been accomplished, you shall take into your deliberate consideration the whole condition of Ireland, and that you shall review the laws which impose civil disabilities on His Majesty's Roman Catholic subjects.
>
> "You will consider whether the removal of those disabilities can be effected consistently with the full and permanent security of our Establishments in Church and State, with the maintenance of the Reformed Religion established by Law, and of the Rights and Privileges of the Bishops and Clergy of this Realm, and of the Churches committed to their charge.
>
> "These are institutions which must ever be held sacred in this Protestant Kingdom, and which it is the duty and the determination of His Majesty to preserve inviolate.—[2 *Hansard*, xx. 737.]

Sir Robert Peel then proceeded to state a history of the circumstances which had induced him to undertake to introduce a measure in accordance with the Royal Speech, and after giving a narrative of the various Motions that had been made, and of the political events which had occurred in reference to the claims of the Roman Catholics, proceeded to say—

> "The measures which I propose for granting relief to the Roman Catholics are founded upon two great principles: The abolition of civil distinctions on account of the religious creed of the Roman Catholics; and the maintenance, intact and inviolate, of the integrity of the Protestant Church, its worship, its discipline, and its government. These measures will restore the equality of civil rights; but they will give no favour or encouragement to any form of religious worship, excepting that which is incorporated by fundamental laws with the constitution of the State, and which claims the respect, veneration, and affection of a Protestant people."

Sir Robert Peel then referred to a suggestion that had been made, with a view to calm the suspicions and fears of those who object to the admission of Roman Catholics to Parliament, that the Roman Catholic Members should be disqualified by law from voting on matters relating directly or indirectly, to the interests of the Established Church:—and he said—

> "There appear to me numerous and cogent objections to this proposal. In the first place, it is dangerous to establish the precedent of limiting by law the discretion by which the duties and functions of a Member of Parliament are to be exercised. In the second, it is difficult to define beforehand what are the questions which affect the interests of the Church. A question which has no immediate apparent connection with the Church, might have a practical bearing upon its welfare ten times more important than another question which might appear directly to concern it."

Sir Robert Peel then explained the nature of the oath which it was proposed to administer to the Roman Catholic in the place of those oaths and declarations by which he was at that time excluded—

> "In the meanwhile the Bill will provide an oath, to the effect following: An oath to which the Roman Catholic can have no valid or conscientious objection, which will incorporate the substance of the oaths of allegiance and abjuration, and will disavow all belief in the temporal or civil jurisdiction within this realm of any foreign authority. . . . The Roman Catholic who will take this oath surely gives us every security which an oath can give, that the difference in religious faith will not affect his allegiance to the king, as his capacity for civil service."

And he concluded by saying—

> "In the course I have taken, I have been mainly influenced by the anxious desire to provide for the maintenance of Protestant interests; and for the security of Protestant establishments. This is my defence—this is my consolation—this shall be my revenge."

He (Mr. Lefroy) certainly could not agree with the right hon. Gentleman, who in introducing the subject to the House said that this was not an inopportune time for bringing forward this measure, and asked the House to act not in a mere spirit of kindness, but of confidence, towards the Roman Catholic Members, who were anxious to act in perfect harmony with the other Members of the House. He (Mr. Lefroy) confessed he considered this as anything but an appropriate time for bringing forward the question—inasmuch as there was at the time pending before the House a Motion for taking away the property of the Church, and transferring it to other purposes. At this very time meetings were held and associations formed in opposition to the interests of the Church, and Members expressed themselves most warmly on the subject. An Association was formed at Dublin last year, in which the Lord Mayor of the day, who was a Roman Catholic, took a prominent part, although he had taken the oath not to exercise the authority of his office in opposition to the interests of the Established Church; and at the first meeting of the Association he declared its object to be the disendowment of the Established Church, and the application of its revenues to other purposes beneficial to the Irish people; he there laid it down that the question had passed beyond the realm of argument, and that such an institution as the Irish Church probably had never existed before, that it was the cause of division and strife, and that the people of Ireland were determined never to be content until they witnessed its legislative abolition. Dr. M'Hale, in a letter written after the Emancipation Act was passed, said that he should use every means of legal and constitutional opposition within his power against this anomalous institution, and he protested against the competency of other persons to put an interpretation for him upon the provisions which had been introduced by Parliament. The late Mr. Lucas had said that he would never cease his exertions until that gross monopoly, the Established Church, was cut up by the roots. The hon. Member for Dungarvan (Mr. Maguire) had said, in his place in Parliament, that the existence of the Established Church in Ireland was a standing insult to the Roman Catholics in Ireland, and a gross violation of civil and religious liberty.

MR. SPEAKER reminded the hon. Member that he was guilty of a double irregularity—in referring to a past debate and in reading a Report of it in that House.

MR. LEFROY said, that he would also refer them to the opinion of Dr. Cullen, who protested against any system which proclaimed the unrestricted circulation of the Bible, and gave to every one the right of thinking and acting as he wished. Such language was in great contrast with that of Dr. Doyle and others previous to the passing of the Emancipation Act. He (Mr. Lefroy) wished it to be understood that he did not desire to maintain unnecessary oaths; he could not, however, regard this oath as standing in that position, inasmuch as it formed a public guarantee and was a condition on which the Emancipation Act was passed. The right hon. Gentleman (Mr. Monsell), in commenting on the Oath of Supremacy, said he would comment on the grievances which the Roman Catholics suffered in other days; and then he went into the question of what did affect them most, the oath as to the settlement of property and the oath affecting attempts on the life of a Sovereign by a subject. The point to which it was now his duty to allude was that which immediately concerned the Protestant Church. His right hon. Friend admitted that the meaning of the oath was doubtful to a great many Roman Catholics; but, at the same time, he brought forward the authority of a noble Lord, a Member of that House and of the Established Church, in favour of the right of the Roman Catholics to exercise their right of voting in that House upon all questions affecting the Church of England. But he (Mr. Lefroy) asked, was the opinion of the noble Lord alluded to, or that of any other individual Member of that House, to be set against the agreements entered into in 1829, and the expressed understanding of the Minister of that day? The late Sir Robert Peel, in reply to a statement made by an hon. Member in 1836, stated most distinctly that it was part of the compact entered into with the Roman Catholics in 1829 that they should do nothing to interfere with the rights and interests of the Protestant Church as by law established, and that if, in 1829, they could have known the intention of Mr. O'Connell to agitate against the Established Church in Ireland, the fact would have raised an insuperable difficulty to the passing of the Emancipation Act. He concurred with his right hon. Friend in his statement that an oath must be interpreted according to the sense in which it was understood by those who framed it; but he added that the late Sir Robert Peel, from the manner in which he framed it, could not have intended it to interfere with the ordinary rights of a Member to vote upon all questions that came before him, but that his object was to restrain persons from having recourse to unlawful violence in their attempt to interfere with or to upset the Church as by law established. He could not agree with his right hon. Friend in that view of the case. In an essay on the works of Macaulay, written by Dr. Murray, the Professor of Dogmatic Theology at Maynooth, that rev. gentleman reviewed the meaning of the oath in question, and asked whether its interpretation was that Roman Catholic Members of Parliament were debarred from voting in favour of any measure introduced into Parliament to amend or abolish the temporalities of the Church, or whether it was merely meant as a bar to such persons attempting to overthrow or undermine that Church by violent means. Dr. Murray appeared to consider the question to be one of conscience. Now, he (Mr. Lefroy) could not concur in the opinion that there was any such doubt whatever about the meaning of the oath, because it never could be supposed that Members of Parliament would be induced to resort to violence. He had now stated his reasons for thinking that the proposal of his right hon. Friend was not one that ought to be sanctioned by that House. He could not, however, conclude without alluding to what had been stated on the subject by certain Roman Catholic authorities. *The Tablet*, a Roman Catholic newspaper, in speaking of the difficulties in the way of an intended attack upon the Church of England in 1832, referred distinctly to the fact that many Roman Catholic Members were impressed with the conviction that they were restrained by this oath from taking part in any attempt "to injure, weaken, or circumvent the Church as by law established." Well, then, he (Mr. Lefroy) contended that if this oath were calculated to protect our Church from the attacks of its enemies it was the duty of the Legislature to retain it; and if the oath was sought to be abolished for the purpose of clearing the way for an attack on the Established Church, then it was the duty of every Protestant to resist the abolition. He did not say that any particular Roman Catholic Member had violated his oath but since Roman Catholic authorities had said so before him, there was no impropriety in his saying that any attack on the Established Church did constitute a breach of that oath. It was quite obvious that this oath was intended to protect the Church from any such assaults, and several Roman Catholic Members had, in consequence, declined to vote upon Church questions, believing that they would be guilty of an improper interference in such matters, being restrained by their oath from taking any such step. A remarkable instance of this feeling occurred some years ago. It was then stated in the House of Lords that a distinguished Roman Catholic gentleman declared that the measure of Catholic Emancipation had done nothing for him, inasmuch as he could neither be a Member of Parliament nor a magistrate, for no power on earth could induce him to take the oath prescribed by that Act for Roman Catholics. His right hon. Friend opposite observed, that in his opinion Roman Catholics could never become so numerous or influential in Parliament as to carry any measure hostile to the interests of the Church. But what was the fact? Had not the House seen many cases in which the Roman Catholic Members held the balance of power in their hands, and in which their votes had been solicited by the two great parties in favour of their own particular measures. They were not now standing up in the House in support of the spiritual interests of the Protestant Church; but he put it to the House and country whether they would be justified in abolishing an oath which was admitted by many Members, even of the Roman Catholic body, to be a safeguard and protection against the attacks of its enemies. The hon. Member concluded by moving that the Bill be read a second time that day six months.

MR. WHALLEY, in seconding the Amendment, said, that although he concurred with his hon. and learned Friend that this Bill ought to be rejected he based his opposition on different ground. His reason was, that if a change in that matter were desirable it ought to be proposed by the Government, and upon their responsibility; and they ought not to leave the opposition to the measure in the hands of private Members. If they thought that the oath to be taken by Roman Catholic Members should be altered, they ought themselves to have brought forward a Motion distinctly proposing the alteration; and if they thought otherwise they ought to have opposed this Bill in its introduction. The present oath was framed in the year 1829, and was framed for the purpose of placing Roman Catholic Members upon the same footing as other Members. The oath, in fact, divested Roman Catholic Members of the obligation to carry out those pretensions of their Church which might be supposed to interfere with the patriotic discharge of their duties in Parliament. He therefore hoped that if by passing this Bill the House removed the existing safeguards, they would regard with more toleration his humble efforts to bring before them the practices and doctrines of the Roman Catholic Church, and the system of that foreign Power whose peculiarities were well known in the history of this country, in the history of Europe, and in the history of the world, and were recognized in every one of our Acts of Parliament, as well as in the foundations of our dynasty. They had to consider how far they would maintain those institutions which ensured the liberties of the country and the dignity of the Crown, or how far they would be prepared to recognize the claim to supreme dominion in temporal as well as in spiritual matters put forward by the Roman Catholic Church. That Church, as appeared from undeniable documents, had expressly declared that the temporal power should be subjected to the spiritual. The hon. Member was proceeding to read extracts which he said contained doctrines authorized by the Propaganda on the subject of "mental reservation," the supremacy of the spiritual over the temporal power, and other theological questions, when—

MR. ESMONDE begged to ask where the hon. Member found those extracts.

MR. WHALLEY: I am reading from a translation. The originals are in Latin.

MR. ESMONDE: Then I object to a translation. I call on the hon. Member to read the Latin.

MR. WHALLEY would not read the Latin, but he would hand it to the hon. Member. [*Cries of* "Name the book!"] The cases which he was reading were "Cases of Conscience." It contained an authorized declaration by the Propaganda at Rome of the law by which Roman Catholics were to be regulated as to oaths. [*The hon. Member, amid much interruption and cries of* "Divide!" "Read!" "Sing!" *proceeded to read extracts from the book.*] But whatever their authorities might say as to the propriety of disregarding an oath, he had a most implicit belief that no Roman Catholic Member would be unwilling to present against any pressure that might be brought to bear against him the fact that they were at liberty, so long as the oath remained, to judge for themselves in all such matters. With respect to oaths, he found it laid down in this publication that, "When there was good reason, and the equivocation itself was lawful, it was not wrong." He appealed to Roman Catholic Members whether it was not desirable to retain on the statute book some protection against such obligations as the writings of Liguori and Dens would impose upon them. The occupants of the Treasury Bench thought it quite consistent with their duty to be ignorant of such publications as those he had referred to. When the Maynooth grant was under discussion on one occasion, he remembered the right hon. Gentleman now Secretary for the Colonies (Mr. Cardwell) saying he knew nothing of such men as Liguori and Dens, and had scarcely ever heard of them. On another occasion, the right hon. Gentleman the present Secretary for Ireland (Sir Robert Peel) said he had never heard of any intolerance on the part of Roman Catholic priests; and yet that right hon. Gentleman before he took office was loud in his denunciations of the intolerance of Roman Catholic priests in Spain. Much had been said as to the time when this question was brought forward. At a former period, when a general election was approaching, a most efficient and influential newspaper (*The Times*) spoke of the probability of some sixty or seventy Members being returned who might be considered as representatives of the Vatican and Propaganda, ready to serve the interests of a foreign Power, and to adopt any scheme detrimental to the interests of this country. The question, therefore, concerned the honour of Roman Catholic Members, because it was in their power, when any pressure from a foreign Power was brought to bear upon them, to plead the obligations which they were under by the oath they had taken in that House. He thought he had stated reasons sufficient why these oaths should not be removed, and in conclusion he would only say that if any hon. Member entertained doubts as to the extent to which the liberty of the press and the rights of discussion were favoured at Rome by the highest authority there, let him take up the Encyclical Letter from Pope Gregory XVI., issued in 1832, and there he would find the unmistakable language in which such rights were denounced.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Lefroy.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. CHICHESTER FORTESCUE said, that as he had taken a part in the discussion of this question in a former Session, and had always felt a deep interest in it, he wished to make a few observations in support of the Bill and against the Amendment of his hon. Friend the Member for the University of Dublin. He was not going to attempt to follow the hon. Member for Peterborough (Mr. Whalley), for it appeared to him that a Gentleman who was of opinion that this exceptional oath had the effect of placing those who took it on an equality with those who did not, and who told them that the extracts he had read and the accusations he had made were conducive to the dignity of the House, was impervious to argument. The only argument the hon. Gentleman himself had used against the Bill was that if it became law it would be his duty to inflict such quotations upon the House to a greater extent than he did at present; but, as the House would have a remedy in their own hands against anything of that sort, even that argument did not induce him to change his views. He did not wish to go into the minute history and past progress of this question; but in tracing the history of the Catholic Relief Bill the hon. Member for the University of Dublin (Mr. Lefroy) had referred to passages in the speeches of two or three Roman Catholics of great eminence, and had endeavoured to turn them to account as against the proposition of his right hon. Friend the Member for Limerick (Mr. Monsell). For his own part, he attributed very little importance to expressions of that kind, proceeding as they had done from persons who were so elated by the great and righteous triumph which they had just achieved, as not to pay much attention to the drawbacks which accompanied that conspicuous act of justice. The hon. Member had, however, quoted expressions made use of both by the opponents and supporters of emancipation with respect to this oath, and seemed to think that a study of these expressions threw light on the real nature and character of the oath. Now he (Mr. Chichester Fortescue) had also studied with great care these expressions equally of the opponents and supporters of the measure with the view of finding what was the real effect of the oaths, and the more he studied the deeper in the dark he found himself. He would bring under the notice of the House the language used by Sir Robert Peel in bringing forward the Catholic Relief Bill, and of Sir Charles Wetherall in opposing it. Sir Robert Peel, in giving his reasons for rejecting a proposal to limit the number of Roman Catholic Members, or put a limit on their legislative capacity, said it was dangerous to establish the precedent of limiting the discretion with which the duties and functions of Members of Parliament were to be exercised. Again, the right hon. Baronet said he was unwilling to deprive the Roman Catholic Members of the judgment and discretion which were allowed to other Members of Parliament. After that he was not surprised to find Sir Charles Wetherall saying that he treated the Roman Catholic oath with contempt, as incapable of achieving that which he wished to see effected—namely, to have Roman Catholic Members prevented from taking part in discussions respecting Church temporalities. Sir Charles went further, he gave this challenge to Sir Robert Peel—"I ask you, do you or do you not, when you give the Roman Catholic legislative power, mean to restrict him from acting in his legal capacity as he pleases?" That challenge never was accepted by Sir Robert Peel, or any Member of the Goverment; so that the statements to which he had just referred the House showed that those who opposed Catholic claims in 1829 took very different views of the meaning of the oath from that contended for by those who opposed the Bill of his right hon. Friend, and they showed also that it was not the intention of the Government, when the Catholic Relief Bill was passed, to fetter or restrain the action of Roman Catholic Members in respect of any question which might come before the House. The oath had always been ambiguous, and therefore had always been immoral and unrighteous; but it had acquired a more offensive character in the eyes of Roman Catholics within the last few years, in consequence of the great change which had been made in the oath taken by the Protestant Members of that House in 1858. Many objectionable expressions which before were common to both the Roman Catholic and the Protestant oaths were then struck out of the latter. The Protestant majority had relieved themselves by expunging certain expressions in the oaths they took, but still continued to force those objectionable portions of the oath upon the Roman Catholic minority. He could not doubt that the great majority of Protestants Members were desirous of finding themselves in a position to relieve their Roman Catholic brethren from this badge of inferiority, which the oath, this snare to the conscience, implied. There might be one or two Gentlemen sitting in that House whose minds had a peculiar ecclesiastical bent which caused them to feel pleasure in inflicting this oath upon the Roman Catholic Members; but he assumed that the majority of the House would be anxious to abolish the objectional parts of the oath, unless some absolute and weighty State necessity compelled them to retain them. Could any one believe that the mere fact of some thirty Member taking that oath added one iota to the security of the temporalities of the Church? The existence of the Established Church in England and in Ireland depended upon the wishes of the majority of that House, and not upon the terms of an oath administered to a handful of Members. If the oath were futile as well as objectionable, was it fair or generous to retain it? If the admirers of the oath were to endeavour to impose it upon the whole House, they would soon see how objectionable the Protestant Members considered it; and that it was only owing to the weakness of the Roman Catholic minority that it was at present submitted to. Of what use would it be in the moment of real peril? The flimsy fair-weather security would vanish on the slightest attack. This bulwark of our Constitution was like the theatrical fortress, which might look very formidable at a distance, but was utterly incapable of resisting an attack. He would carry his argument still further, and would deny the propriety of endeavouring to defend any special institutions of the country by any special oath. It was no doubt perfectly natural and right that every Member of that House should give his solemn assurance in the presence of God of his attachment to the monarchy and to the Sovereign; but he contended that no oath should be required for the security of any institution, however important; and he thought there were many other institutions of this country equally important with the temporalities of the Church. All those institutions, without exception, should rest upon their only true and legitimate foundation—namely, public opinion. Why should the temporalities of the Church—he drew a distinction between the Church and its temporalities—form an exception to that salutary rule? There were, indeed, peculiar reasons why the temporalities of the Church should not be made such an exception. Because a Church Establishment must rest upon the preponderating assent of the majority of the people among which it exists. From that assent alone it can derive its power of usefulness, and its consequent justification. He would doubtless be told that the oath was part of the system of toleration. Well, toleration was a grand idea, an immense political discovery made by great men in former days. But at the present day they had acquired a higher and truer idea of justice which consisted in equality. Toleration was all very well, but it was not enough; Members of that House ought not to be tolerated, they ought to sit in it upon absolutely free and equal terms. He hoped the majority of the House would accept the Bill upon the principles he had endeavoured to set forth, but if not, he would ask them no longer to continue to harass and torment the consciences of their Roman Catholic brethren by compelling them to take the oath which the Bill sought to abolish. Let them sacrifice the oath, if sacrifice it were in their minds, if not to the rigid claims of political justice and right, at least at the call of generosity and the demand of morality.

MR. WHITESIDE: Sir, I am anxious to say a few words upon the subject of this Bill. I listened at an early stage of the debate in the hope that the right hon. Gentleman the Home Secretary and the leader of the House would have risen and would have cleared up the doubts and difficulties which present themselves to my mind as to the course the Government intend to take in regard to the subject-matter of this Bill. We are not dealing with a question of cotton or sugar but with a question which has been described as of vast and fundamental consequence as regards the institutions of this country both at present and in the future. I was sorry to hear from the right hon. Gentleman who has just spoken (Mr. Chichester Fortescue)—especially sorry if he uttered the sentiments of the Government upon the subject — that he regarded this oath as ambiguous, immoral, and offensive, as unintelligible, absurd, and futile. The right hon. Gentleman did not make use of these epithets when carried away by the heat of debate, but used them calmly and deliberately. He said that the Church of England—one of the fundamental institutions of the country—rested merely on the consent of the people, and existed merely by the will of the majority that the oath was no security to the Church of England;

that it was a burden upon the conscience; but at the same time he said the Church itself, like a Turnpike Road Bill, might be voted away by the House.

MR. CHICHESTER FORTESCUE: I spoke only of the temporalities of the Church, not of the Church itself.

MR. WHITESIDE: I understood that it was the Church to which the right hon. Gentleman really referred. I listened to him with respect as one of the Ministers of the Crown, and I must say I never heard more dangerous doctrines than those enunciated by him this afternoon. The Church as one of the institutions of the country was formerly spoken of in very different terms to those used by the right hon. Gentleman. It seemed to me as if the right hon. Gentleman was anxious to accelerate the moment when the vote of the House of Commons might be given abolishing that institution. He doubtless had some passing regard for the monarchy, although his argument against the Roman Catholic oath would tell equally against the oath of allegiance. He said that upon the whole the oath of allegiance might be endured, and thus showed some little regard for the securities for the existence of the monarchy. Now, supposing a man were to start up and ask, "What is the use of the oath of allegiance?—it is of no value in the case of the loyal subject of the Crown, and it will never restrain a rebel," he would go no further than the argument of the right hon. Gentleman would support him, and thus both Church and Crown might be got rid of at once, as has happened before. In speaking of the late Sir Robert Peel the right hon. Gentleman said he paid very little regard to the casual observations of political men upon subjects of great importance, and that Sir Robert Peel had treated the question lightly and superficially. That statement might possibly be right; but while he was speaking I was turning over a book published by the Secretary of State for the Colonies, wherein he sets forth the whole of the private thoughts of Sir Robert Peel upon this very measure which the right hon. Gentleman says was so lightly dealt with by that great statesman. In that book are recorded his doubts and his embarrassments with regard to the measure of Catholic emancipation, the difficulty he had in persuading the King of its necessity, and the manner in which it was carried, and now we are asked to re-open the whole question, which was settled at that time to the satisfaction of all parties. With every deference to the advocate of the present Bill and to the Roman Catholics, I think it would be exceedingly impolitic to re-open the question, or for one moment to listen to the demands of the very eminent Prelate who was the leader of the recent agitation in Ireland. Do hon. Gentlemen believe that Sir Robert Peel was a light and trifling character? That statesman described the wonderful organization of the Church of Rome, the extent of its power and its influence, and he said that while it aimed nominally only at spiritual power it really wielded temporal power. Now, let us look at the questions to which the principle of this Bill gives rise. The right hon. Gentleman says it is advantageous to regard the principle of the measure by the light of history. I do not know whether Roman Catholic Gentlemen have considered this question with all the care it deserves with regard to the past and the future, or whether the right hon. Gentleman and the Government he represents have duly weighed the consequences of re-opening a great question. Have they traced the matter back and ascertained how the oath became by degrees a subject of great State importance? We may go so far back as the Reformation, which every educated person knows was the result of a dispute relative to jurisdiction, and not to religion. I do not say that King Henry VIII. was a very religious man, but he possessed a powerful understanding and extreme passions; and when he saw the oath taken by the bishops to the Pope of Rome, he stormed in his palace and said, "I am but half a king,"—a very felicitous expression, meaning that half their allegiance was due to the Pope and but half to himself. He argued that he was not interfering with their ceremonies; they might go to mass as often as they pleased, but he was determined to be a king in the full sense of the word. Mr. Dalton, a Roman Catholic gentleman, and a member of the Irish Bar, who has written several books on historical and antiquarian subjects, refers to the fact of Dr. Browne, Archbishop of Dublin, being required by the Council, of which Lord Cromwell was President, to acknowledge completely the jurisdiction of the King. Dr. Browne agreed, but Domdale, the Archbishop of Armagh, said "That we can never do, because it would be interfering with the authority of the Pope." The meaning of that is, "It is impossible for us to yield to that requisition, for although the Pope does not claim temporal power, he claims spiritual power; and whenever the question of power arises," says the Archbishop of Armagh, "we must reserve that of the Pope." Well, the King eventually prevailed—and what happened? Those who took the oath—and among them were many of the old Roman Catholic nobility and gentry—were excommunicated. When King James I. ascended the throne he had strong leaning towards the Roman Catholics, his mother having been one, and he drew up an oath with his own hand which modified all expressions of belief, leaving the belief free, but it was an oath which ascribed jurisdiction in causes ecclesiastical to the Crown, moderately expressed. Again, a number of the nobility and others were willing to take the oath—and what happened? Why, the Pope excommunicated the King, and those of the people who had either administered or taken the oath. Now, the King had acted with great policy, he was wise, and was one of the best men that ever legislated or acted for Ireland. He sat down and wrote an apology for this oath. His apology failed, and the excommunication which then ensued led to most unhappy results. Dr. O'Conor—a relative of the family of the Member for Roscommon—a learned and accomplished author, who lived and wrote at Stowe, has recorded that the interference with the expression of loyalty to the Crown and the admission of the jurisdiction of the State was the ruin of the Roman Catholic people in Ireland at that epoch of their history. When Charles II. came to the Throne many of the Roman Catholic nobles and gentlemen sided with him, who had been oppressed by Cromwell, and deprived of their property. Cromwell was victorious, and how he dealt with them, it would be indelicate to state, because every one he disliked he kicked out of the country, and every one who wished to exist in the country was obliged to take care not to dispute his jurisdiction. When Charles II. came back he was almost a Roman Catholic himself, and his brother was a member of that faith. On taking possession of the Throne he said—

> "I will restore, without inquiry, all the Roman Catholic gentlemen and noblemen in Ireland who were loyal to the Crown during its troubles, not only to sit in Parliament, but to their property, provided they take such an oath as will satisfy the English nation of their loyalty and their regard for the settlement of the country."

To this, I think they were justly entitled. Well, what happened the moment that oath was presented to them? The Pope's Legate was at the time out of the country, but the Nuncio at Brussels, acting for him, threatened to excommunicate every gentleman who took that oath. That was the second great epoch in the history of Ireland. The Nuncio prevailed upon a great number of the Irish people not to take the oath, and the result was to lay down that great line of demarcation between those who sympathized with the institutions of the country and those who did not. This was the result of the interference of a foreign Power. I say it is to the influence of a foreign Power that the recent agitations are owing. I deny that the Roman Catholic people of Ireland have got up the agitation themselves. Now, the right hon. Gentleman says this oath is a novelty.

Mr. CHICHESTER FORTESCUE observed, that he had not made use of that expression.

Mr. WHITESIDE: I thought the right hon. Gentleman did make use of that expression; but, at all events, he described it as "futile." Now, the old oath which was taken eighty years ago, contained the very words of the oath that had been taken without objection long before there was a dispute as to the Church Establishment in Ireland. The present oath was copied from that taken in 1754, and the same words were used in the oath of 1793—I mean the words having reference to the settlement of property. Those words are—

> "I do swear that I will defend to the utmost of my power the settlement of property within this realm, as established by the laws; and I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment, as settled by law, within this realm."

These are the words which it is proposed by the Bill now before the House to omit from the oath. They were carefully drawn up by lawyers at the time for the purpose of binding the Roman Catholics. It is also proposed to omit the following words:—

> "And I do solemnly swear that I never will exercise any privilege to which I am or may become entitled to disturb or weaken the Protestant religion or Protestant Government in the United Kingdom. And I do solemnly, in the presence of God profess, testify, and declare that I do make this declaration and every part thereof in the plain and ordinary sense of the words of this oath without any evasion, equivocation, or mental reservation whatsoever."

Now, I ask, in the name of common sense, what objection can there be to take such an oath as that? We all know that the oath refers to the great Act of Settlement which secured to Roman Catholics the possession of their property, but at the same time secured to our Church property which had belonged to the Church of Rome; and, therefore, in every oath drawn up since that time the last paragraph I read has never been omitted. It was framed, not for the purpose of teasing the consciences of the Roman Catholics, but in order to preserve property in the manner settled at that time. Yet that passage is proposed to be omitted by the present Bill, after having been taken, without complaint, for upwards of seventy years. We now come to a very critical part of the question. The oath set forth in one of the Acts of Parliament relating to Ireland merely states that the Gentleman who takes it will not do any act to overthrow the Established Church in Ireland for the purpose of establishing a Roman Catholic Church in its stead. It very little matters what you do with the temporalities of the Church after you have overthrown the Church itself. You may, if you chose, apply them to the purpose of building asylums and lighthouses, as has been already advocated. The chief matter is the preservation of the Church itself. Now, when the Roman Catholic bishops met in Dublin, before the Emancipation Act was carried, they proposed, in order to satisfy the Legislature that no injury should arise to the Church from that measure, to draw up a declaration to be taken by Roman Catholics. In drawing up that declaration they used the very words of the Act I have referred to, and they said—

> "We hereby solemnly declare that we will do any act calculated to overthrow the Church Establishment in Ireland for the purpose of establishing a Roman Catholic Church in its stead."

But who were the persons who drew up the existing oath? Were they men with light and trifling characters, as was alleged by the right hon. Gentleman? The oath was drawn by Lord Lyndhurst, Chief Justice Tindal (one of the profoundest lawyers who ever sat upon the English Bench), Lord Plunket (the great advocate of Catholic emancipation when he represented the University of Dublin), and the last was Mr. Wilson Greene. Those words, however, were purposely dropped at the time of the Emancipation Act, when the

oath was framed as it rests at present. The right hon. Gentleman says the oath is useless. Now, I will not argue this question upon the opinions of Protestants. Let us see what Serjeant Shee, than whom a more honourable man never sat upon the Bench, has to say upon the subject. That learned Judge says, in a pamphlet entitled *A Proposal for Religious Equality in Ireland*—

> "I have a clear conviction that Catholic Members, however strong may be their impression of its expediency, ought not to vote so long as a solemn abjuration 'of all intention to subvert the Church Establishment,' and a solemn promise 'not to exercise any privilege to which they are, or may become entitled to disturb or weaken the Protestant religion,' continue to be among the conditions on which they are admitted to seats in Parliament. The faith plighted by those words has been hitherto preserved inviolate. It is free to them, as was done under the guidance of Mr. O'Connell by their predecessors, to assist the Queen's Government, the Members of which are bound, as respects the Church of England, by a still more stringent pledge, in correcting the abuses and retrenching the superfluities of the Establishment. It is their duty to take care that those superfluities are not wasted by reason of the inadequacy and unsuitableness of the channels through which they are distributed, upon purposes which have no connection, or only a nominal connection, with the propagation of religious truth. But they took upon themselves the office of legislators with knowledge that a solemn abjuration of all intention to subvert the Church Establishment would be required of them. Having made that abjuration, they are committed by it to a loyal acquiescence in the retention by the Protestant Episcopal Church of a temporal provision adequate to secure its efficiency and the maintenance of its bishops and clergy in competence and honours. What would be thought in private life of the man who having been suspected by a society into which he was desirous of admittance of an intention inconsistent with its most cherished interests, and elected on his solemn denial of it, should avail himself of the privilege of a member to promote the intention which he had disclaimed? If my opinion were less decided than it is on the meaning of the Catholic oath, and I deem the policy recommended by Mr. Miall more hopeful than I believe it to be, I should still think our adoption of it unwise. The Church by law established in Ireland is the Church of a community, everywhere considerable in respect of property, rank, intelligence, and the power of avenging a disgrace on the religion of the Irish people. It is strong in the supposed identity of its interests with those of the Church of England. Nothing short of a convulsion, tearing up both establishments by the roots, could accomplish its overthrow. Nor is it by any means clear that its overthrow would benefit our religion. With the exception of the zealots who disturb the dioceses of Dublin, Ferns, Cashel, and Tuam, 'the sapping and mining' of religious belief has not been thought a worthy occupation by the prelates and clergy of the Establishment. Who shall measure the effects

which might be produced upon the half-informed, the irreligious, and the indigent by the spirit of proselytism which has of late broken loose, if universally quickened in the breasts of unendowed perverters, without standard articles, or creed, by the lust of uncertain and indefinite gain."

That is an exposition of the oath by one who is a Roman Catholic and is an ornament to the Bench, and I believe his interpretation is a correct one. He says it is impossible to put any other meaning on it than the one I have just read. Again, Mr. Lucas, a gentleman whom I very much admire, says—

> "If I had the honour of a seat in Parliament I would no more presume to vote for the alienation of any Church property, so long as that oath was in being, than I would blaspheme God or renounce my faith."

Now, this is the answer to the inquiry, "What is the good of the oath?" That is one use of the oath. But there is another use of it which is much more important, and it is this. It is a public record of the conditions upon which a body of men obtain all the privileges and all the benefits of our Constitution, and each time it is repeated at the table of this House it is a re-affirmance of these conditions. It contains the principle of the Emancipation Act, that this is a Protestant State. The principle of the Emancipation Act, from first to last, is that this is a Protestant State, that the Crown is Protestant, and the Constitution is Protestant, and that we exclude and deny all foreign jurisdiction. There are four or five words in the last Encyclical Letter which are of great consequence. They declare that, "It is heretical to assert that the King is superior to the Church in questions of jurisdiction." Why, that is the whole question between us and the foreign Power. And who would suffer most from the admission of that foreign jurisdiction? I am so familiar with this that I am amused when I hear a Roman Catholic gentleman theoretically admit what if it pinched him he would be the first practically to deny. I will give an instance or two of cases that have occurred. A Roman Catholic miller was excommunicated and all persons were forbidden to deal with him, to buy of or sell to him, in a form of words that I will not repeat. He brought an action against the priest who had excommunicated him for defamation of character, accompanied by loss and injury to him in the trade and business of a miller. The counsel for the priest answered, "I had no malice against you. I only did what I did under the authority and jurisdiction of the Church." The Judge ruled that there was no jurisdiction in the Church, and the priest was condemned in damages and costs. Similar cases had occurred over and over again. Take another case. A man married two respectable Roman Catholic women, and was tried for bigamy. His defence was that his first marriage was not quite good according to some decision of the Church. The jury returned a special verdict. The case was argued in the Court of Queen's Bench in Dublin, and it was contended for the prisoner that as the Church to which he belonged had set aside the first marriage it was no marriage, and therefore that he was not guilty. Hear the language of the Judge—

> "The argument for the defendant supposed the rules and discipline of the Church of Rome to be a part of the law of the land, than which there could not be a more monstrous assumption. Even the Canonical law has no dominion in this country, save so far as it has been received, and ratified, and made part of the Queen's Ecclesiastical law, which is itself part and parcel of the law of the realm."

Therefore, our denial of the jurisdiction of the Pope is of the last practical importance at this moment, and its assertion in the Encyclical Letter goes to the root of the whole question between the Crown and the Papacy. Is this an ancient and exploded doctrine? It was published only the other day. How does this apply to the matter before the House? When this oath was drawn, Lord Plunket stated on behalf of those gentlemen who are now asking us to change it, or their predecessors, that they would take the oath of Elizabeth with the explanation that it only applied to matters of belief, and would acknowledge the jurisdiction of the Crown in all causes ecclesiastical as well as temporal. This proposal of Plunket's was not successful. He admitted that when this oath was drawn you were allowed to omit doing that which the Catholics of England had done before, you were allowed to leave out the words "spiritual and ecclesiastical jurisdiction," so that you have escaped the performance of that which is the duty of every subject of the realm, the renunciation of all foreign jurisdiction. There are four or five important variations between the oath as it now stands and that which this Bill proposes to substitute; but before I come to that let me remind the House of what was stated by the right hon. Gentleman, that an Act of Parliament was passed a few years ago, which I admit made the matter a little more embarrassing to Roman Catholics. We take an oath which is a compound of the oaths of allegiance, abjuration, and supremacy—the oath of supremacy, as Lord Eldon explained it, being only an extension of the oath of allegiance as to its denial and exclusion of foreign jurisdiction. The Act which established what you are now called upon to undo was brought in by Mr. FitzRoy, Lord Palmerston, Sir George Grey, and the late Sir George Cornewall Lewis, and it contains this clause:—

> "Provided always that nothing in this Act contained shall be held to alter or affect the provisions of the Act passed in the tenth year of the reign of King George IV. cap. 7, for the relief of Her Majesty's Roman Catholic subjects."

That is a re-affirmance and declaration of the policy and wisdom of what was done by the Act of 1829. It is there re-stated and re-affirmed by Lord Palmerston and the leading Members of the Present Cabinet; and now this measure recites, "It is expedient to change that oath." And in what particulars do you propose to change it? Let us take one instance and examine those particulars. The existing oath contains these words, "It is not an article of my faith that Princes excommunicated may be deposed." Now, I am not willing to set aside that clause.

Mr. MONSELL asked the hon. and learned Gentleman to read the whole of the clause.

Mr. WHITESIDE: I am referring to what is contained in the oath presented by the Act 10 *Geo.* IV. c. 7—

> "And I do further declare that it is not an article of my faith, and that I do renounce, reject, and abjure the opinion that Princes excommunicated by the Pope or any other authority of the See of Rome may be deposed or murdered by their subjects, or by any person whatsoever. And I do declare that I do not believe that the Pope of Rome or any other foreign prince, prelate, person, State, or potentate hath or ought to have any temporal or civil jurisdiction, power, superiority, or pre-eminence directly or indirectly in this realm. I do swear that I will defend to the utmost of my power the settlement of property within this realm, as established by the laws."

That as to the settlement of property is omitted from the oath to be substituted by this Bill—

> "And I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment as settled by law within this realm. And I do solemnly swear that I never will exercise any privilege to which I am or may become entitled to disturb or weaken the Protestant religion or Protestant Government in the United Kingdom. And I do solemnly in the presence of God profess, testify, and delare that I do make this declaration and every part thereof in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever."

All that is proposed to be omitted by this Bill. I admit that this is a very strong and explicit oath, drawn with great care and with consummate judgment and skill, and I have shown that by the measure introduced a few years ago it was re-enacted and re-affirmed. If I am asked why I would at this moment retain the clause disavowing the doctrine that excommunicated Sovereigns may be deposed, I reply that the Pope has excommunicated the King of Italy, and it has been shrewdly observed that there is but a slight interval between the deposition of a Prince and his grave. Why should that declaration be omitted from the oath? It was not objected to by Mr. O'Connell, Mr. Shiel, or other eminent persons when they were called upon to testify that, whatever ancient and exploded fallacies might have prevailed upon the subject, they did not hold to such a doctrine. The next point is the defence of the settlement of property. Have hon. Members read the evidence of Mr. O'Connell before the House of Lords? He was asked what ought to be done with regard to the settlement of property, and he replied, "If it could be believed by any of your Lordships that there was the slightest intention to alter the settlement of property, by which in Ireland we always mean the Act of Settlement upon the restoration of the monarchy, there is no provision that would be too stringent. I admit at once that there is nothing that you can desire to prevent it that you ought not to adopt." He then went on to explain the operation of the Act, saying that he knew that part of the property of the Church was taken, but, added he, "My brother bought a portion, and I quite agree that your Lordships must preserve the settlement of property, because if that should be disturbed in searching for the owners you would uproot everything." Why, then, should we omit from the oath this clause, which has been included in every oath which has been enforced during the last 150 years, and which the most eminent men have not refused to accept? Why did they not say, "We will not take that oath; it is unnecessary?" On the contrary, they all said, "We will give you any security you please upon that subject." My advice to the friends of this measure is not to adhere to the proposal to omit this clause from the oath, which raises unpleasant suspicions of intentions which, I am sure, they have never entertained. Then, with reference to the settlement of the property of the Church, have you read the evidence of the late Archbishop Murray? I have read it, and I never read anything with such pain as I read it, having regard to present events. He was asked, as the head of the Roman Catholic Church in Ireland, "What do you say about the Church property?" He answered like a gentleman, and he always kept his word. He said, and he swore it, that there would never be any intention on the part of his Church or its heads to disturb the Church property or to abstract it for any purpose from its present lawful purposes. He dies and another prelate succeeds; and what occurred last week? While we were all in a state of excitement and enjoyment at the visit of our gracious Prince, an article appeared commenting upon the prospect of an era of peace and happiness in Ireland, in which it was stated that the Church would be allowed to rest in peace. The next day the following letter was addressed to the journal in which the article appeared, by the Secretary of the National Association of which I do not know whether any hon. Gentlemen now present are members:—

> "Sir,—The *Irish Times* of this day contains an announcement that 'the Established Church has been withdrawn from the programme of the National Association, and the questions to which it will confine its attention will be tenant-right and education.' I beg to inform you that there is no foundation for the above statement, and the intentions of the Association in relation to the Irish Church Establishment have undergone no modification, and that the gentlemen with whom rests the direction of the policy of the Association are unanimous in the determination to have no compromise with the Establishment or its advocates, and to spare no effort for its overthrow."

When I am asked, "Why do you in this enlightened age preserve that record?" I, in my turn, inquire, "Can I conscientiously say that there is no necessity for protesting against the power of the head of your Church when in this enlightened age he has issued that Encyclical Letter, when he has undertaken to appoint an Archbishop of Westminster, and when I see the Emperor of the French warning the bishops that they must conform to the laws of the State?" It is not levelled at individuals, because they have all their civil rights, and therefore we may speak plainly to each other. You have every political right and privilege; you occupy almost all the highest offices of State in Ireland, and therefore you have no complaint, except, as you say, upon a matter of sentiment. How was this oath, when it was first framed, treated by the heads of the Church—because that is a part of the story that ought not to be omitted? As soon as the Emancipation Act with the oath in it was published the bishops assembled in Ireland and issued a pastoral. One would have expected that they would have discovered all the objections which are now urged against the oath, and would have pronounced it, as the right hon. Gentleman has done, "immoral, unjustifiable, and absurd." Instead of that, they said that the Act which you are now called upon to alter was "a great and beneficent, and healing measure enacted by the Legislature for their relief." They ascribe this great measure of relief, first, to God Himself to allay the angry passions, and to put an end to the disorders which had convulsed and disgraced their country; and next, to their earthly Monarch, who had resolved, in compassion to Ireland, to confer on her the inestimable blessing of religious peace; and finally, to an enlightened and wise Parliament perfecting what the Sovereign and his counsellors had commenced. They express their own gratitude in the warmest terms, and call for the like grateful feelings from all their brethren to the King, the Ministry, and the Legislature for the Act which, they say, raised the Roman Catholics from their prostrate condition, and gave them, without reserve, all the privileges which they desired. And they add that this great boon was more acceptable from the part which was taken in conferring it by an illustrious Irishman, a hero and legislator, selected by the Almighty, not only for the great work which he had done abroad, but to direct the councils of England at a crisis the most difficult, and to stanch the blood and heal the wounds of the country which gave him birth. And they represent the effects which had already resulted as of the happiest kind; that the storm which had almost wrecked the country had subsided, while social order, with peace and justice in her train, was preparing to establish her sway in this long distracted country. What more complete vindication of the Emancipation Act as it stands could you have then the heads of the Roman Catholic Church before it was passed expressing their approval of its provisions, and after it had passed declaring that it was a "a great, beneficent, and healing measure?" It is true that attempts were afterwards made to alter this oath. In 1834 Mr. O'Connell made such a proposal, and Sir Robert Peel said that it was a question of principle and not of form, and that a compact was entered into in 1829 which was morally conclusive. Subsequently, speaking upon the question of the form of the oath, he said it was not expedient to make any change in the Roman Catholic oath; and the same language was held by the present Home Secretary, and by the noble Viscount at the head of the Government when they passed their Bill. In 1849 Sir Robert Peel said, that Lord Russell had acted wisely in not disturbing what he called the settlement that was made in 1829; so that when the question was raised in this House the alteration was resisted by the most eminent statesmen. When the Bill was carried to provide for the opening of diplomatic relations with Rome, the Duke of Wellington added to it a clause re-affirming the same principle. Therefore the Legislature has never departed from the principle of this oath. I am certain that that principle is wise and politic, not offensive or unjust, and contains the conditions upon which a great and healing measure was carried; and I submit to the House, with very great respect, that to abrogate that oath would be infinitely more mischievous than never to have adopted it. If you had never enacted it, I could understand your remaining silent upon the subject; but if you now abolish it, it is as much as to say, We release you from the conditions into which you entered when the Emancipation Act was passed, and you are now free to attack the Church as much as you think fit. It is felt in the country that all these Motions are directed to the same purpose. The Motion against the Irish Church, this Motion against the oath, and another Motion of which an hon. Member has given notice, are all pointed to the same end. I can assure hon. Gentlemen opposite that there is no measure which they can suggest for the good of the country which I will not support; but if they tell me plainly, as the Association which I have already mentioned tells me, that it is their intention to re-open the Catholic question, which was settled in 1829, and to do all that they can to overthrow the Church, then I answer with perfect frankness that, as a Conservative and a Protestant, I shall offer to all those claims the most unqualified resistance—I mean resistance in Parliament and resistance out of Parliament. The right hon. Gentleman (Mr. Chichester Fortescue) drew a flimsy distinction between the temporalities of the Church and the Church. I was surprised that a sensible man could indulge in that little distinction. These gentleman say, "We will take away all property from the Church," and if you ask, how are the bishops to sit in the House of Lords without any property? they reply, "Let the bishops leave the House of Lords." [*Loud cries of* "Hear, hear!" *from Members sitting below the gangwag on the Ministerial side of the House.*] That is fair, frank, and manly; but the effect of such a measure would be to change the constitution of the House of Lords, as you recently proposed to change that of the House of Commons. I admit that it might have been possible to frame a Constitution without having bishops in the House of Lords; and although we have an episcopal descent from the ancient bishops of Ireland, I hold the opinion that the bishops are not the whole Church—the parochial ministers are more important, or, at least, as important. But your arguments and your acts both proclaim that you are going for a change in the Constitution, because there the bishops are, and when you receive with cheers a proposition to deprive them of their property and turn them out of the House of Lords it is a fair challenge to us to say whether we agree with you or not. The truth is, Sir, that, as Sir Robert Peel wrote in his study, this is a wider and greater question than it seemed to Mr. Canning or others of that day. It affects the whole Constitution of the country; it affects the Government; is affects the Parliament; and it affects the Church. Three things in my opinion are linked together—the Crown, the land, and the Church. I believe that the effect of this measure would be directly to facilitate the attacks that are openly levelled against the Church. I speak not in the spirit of a fanatic, but, speaking with some knowledge of the past history of the country, I believe that the compact made in 1829 was wise, politic, and sound, and therefore I give, as I am bound to give, to this Motion a most explicit negative.

SIR GEORGE GREY: Sir, the right hon. and learned Gentleman appealed to me, as representing the Government, to state what course they intend to take with regard to this question. I should have thought that such an appeal was entirely unnecessary. The right hon. Gentleman has omitted all reference to some important proceedings in this House, and has given a most inadequate representation of the opinions entertained and expressed by the present Government upon this question. I must remind him that in the year 1854 Lord Russell, as a Member of Lord Aberdeen's Government, with the concurrence and on the part of that Administration, submitted to the House a Bill, the object of which was to substitute for the oaths then taken by Members of this House one uniform oath to be taken by all. That was accompanied by a proposal to admit Jews to Parliament. This general and comprehensive measure, which embodied the proposal now before the House, did not meet with the approbation of the House, and was rejected by a small majority. The right hon. Gentleman said that in 1857 a measure was introduced by my noble Friend at the head of the Government, the late Sir George Lewis, and myself, to re-enact the very oath which had been established by the Roman Catholic Relief Act of 1829. The effect was to recognize it; but what were the circumstances of the case? We had found that a general measure, such as that I have just mentioned, was not likely to be successful. It was at that time desired that the doors of Parliament should be opened to gentlemen professing the Jewish faith, and we found that it was impossible to accomplish that object except by means of a compromise with those who were the determined opponents of the measure. We therefore limited the Bill of 1857 to the admission of the Jews, and to the simplification of the oath which was to be taken by Protestant Members. The object of the Bill was to admit the Jews, and we did not include in the measure anything relating to the Roman Catholic oath, because we knew from experience that if we had done so our main object would have been lost. All that was done was to insert a clause in the Bill stating that it should not extend to altering or affecting the oath to be taken by Roman Catholics, leaving that as a separate subject of consideration, there being already recorded a statement of our opinions as to what we thought ought to be done with regard to that oath. That Bill, also, was rejected by a small majority. But in the next year, when Lord Derby was in office, a Bill founded upon the same principle was carried, and I believe that it would not have been carried if it had not been for that clause which separated the case of the Roman Catholics from that of the Jews. What happened in 1859? The right hon. Gentleman has quoted the opinion of Lord John Russell expressed in 1834, only four years after the passing of the Emancipation Act, when he thought that it was inexpedient to revive the questions which had been settled by that Act; but he has altogether overlooked the opinion expressed by Lord John Russell, not only in 1854 but in 1859, when the present Mr. Justice Fitzgerald, then Member for Ennis, brought in a Bill identical with that now before the House, and which was supported by Lord John Russell and by those who are in the habit of acting with him. His name was actually placed upon the back of the Bill, which by a small majority this House gave leave to Mr. Fitzgerald to introduce. There can, therefore, be no doubt what are the opinions of the present Government with regard to the principle involved in this Bill. But before I state shortly the reasons which induce us to support it, I will advert to one or two observations which have been made by the right hon. Gentleman. He accused my right hon. Friend the Member for the county of Louth (Mr. Chichester Fortescue) of treating with disrespect the memory of the great statesmen who were chiefly instrumental in passing the Roman Catholic Emancipation Act, and imputed to him that he had treated them as adopting a puerile course, and as proposing what was absurd and unworthy of the reputation which they enjoyed in pressing the adoption of this oath. Let me recall to the House what were the circumstances under which that Act was passed. The Duke of Wellington and Sir Robert Peel had long been the opponents—no doubt the conscientious opponents—of the proposal to admit Roman Catholics to Parliament; but they were not bigoted in their opinions—they were open to the influence of facts as well as of arguments upon their minds, and they came to the conclusion that it was essential to the interests of the country that those claims which they had long conscientiously opposed should be conceded. In the discharge of a difficult and, in their circumstances, a painful duty, they openly avowed their change of opinion, and devoted all their energies to doing what they thought that the interests of their country and the rights of their Roman Catholic fellow countrymen demanded. One difficulty in their way arose from the course which they had themselves pursued, and the party with which they were connected. The right hon. Gentleman has himself alluded to the difficulty which they encountered in overcoming the scruples of the Sovereign and obtaining his sanction to the introduction of that Bill. Well, then, we must regard their acts in the light of those facts, and consider that what they did in the way of proposing securities, was not what they themselves thought essentially necessary, but was done with an earnest desire to attain the object which they had in view, and to meet the conscientious objection of men with whom they had been acting in opposing the measure, and who demanded the introduction of what they believed to be securities against the consequences which they apprehended from the admission of Roman Catholics to Parliament. It is no imputation upon those men that under those circumstances they proposed that which it may now be our duty to revise in the light of experience. They did what they were able to do at that time. And when the right hon. Gentleman talks about a compact, and refers to the gratitude with which the measure was received by the Roman Catholics, I say that it is unjust and ungenerous to attempt to found upon the course taken by the Duke of Wellington and Sir Robert Peel, or upon the gratitude expressed by the Roman Catholics for their admission to Parliament, a compact which is to preclude the Legislature from ever re-considering what was then done. Again, let me say a word as to what fell from him as to the jurisdiction of the Pope in this country. One would have supposed from his speech that my right hon. Friend the Member for Limerick (Mr. Monsell) proposed to omit from the Roman Catholic oath the declaration that no foreign Power, prelate, or person has jurisdiction—civil or temporal—within these realms. He went into an argument to show that the Canon Law has no authority in this country except so far as it has been confirmed by statute law, and cited cases in support of his argument, while every one knows that there is not a Judge in the land who would not in the most explicit language declare that the law of the land, and that law alone, is to be followed in our Courts. What, then, becomes of his reference to the cases of the miller and the bigamist? The only effect of that part of his speech must be to excite a prejudice against the proposal now before the House, and to lead people to suppose that it is in some way intended to get rid of the declaration that the Pope has no civil or temporal jurisdiction in this realm. The words as to this matter which are now used by Roman Catholics when they take the oath at this table or elsewhere are retained in this Bill, and if it passes, they will still make the declaration that the Pope has no temporal or civil jurisdiction in this country. With regard to the Bill itself, I stated, when leave was asked for its introduction, that I agreed with my right hon. Friend in thinking that it was extremely objectionable to enforce oaths which were unnecessary or needlessly offensive, although they might be taken with a safe conscience, or which were of doubtful and ambiguous interpretation, and therefore a snare to men's consciences. As there was no opposition to the introduction of the Bill, I declined at that time to go into the question how far such objections applied to the oath; but I am now prepared to say that I think they apply to it with such overpowering force that I cannot refuse to agree to the second reading of the Bill. The object of this Bill is, in fact, to assimilate the oath taken by Roman Catholics to that which is taken by every Protestant Episcopalian and Dissenter, and by every member of the Jewish faith, with one single exception—that whereas the latter deny that the Pope "hath or ought to have any spiritual jurisdiction" in this country that declaration is not required to be make by Roman Catholics; not now for the first time, however, because in the oath which has already been sanctioned by Parliament it has been thought right for obvious reasons not to require them to make that declaration. The first declaration which it is proposed to omit from the oath is the declaration that it is not an article of the faith of Roman Catholics "that Princes excommunicated by the Pope may be deposed or murdered by their subjects or any person whatsoever." The right hon. Gentleman said that he is not willing to part with the security which that gives for the life of the Sovereign, but he did not attempt to argue the matter. Now, I ask whether there is a single Member of this House who believes that any one of our Roman Catholic countrymen sitting among us holds such a doctrine, or does not utterly repudiate and abhor it? What does this declaration imply? Is is not needlessly offensive? Does it not say by implication that the Church to which Roman Catholics belong holds this doctrine, and that we do not permit them to set among us unless they repudiate this alleged doctrine of their Church? It is utterly useless as a security. We may depend upon the loyalty of the Roman Catholics, and, if not—although I am sure we can—we may depend upon the force and efficacy of our laws, which would instantly and effectually deal with any attempt to act upon these principles, which they as well as ourselves repudiate. But what advantage, what security for the life of the Sovereign, what security for the maintenance of our institutions is there to be found in these words? I hope that before the debate closes we shall hear from those who desire to retain them some arguments for their retention; from the right hon. Gentleman we heard no argument except that he is not willing to part with them.

MR. WHITESIDE: I said that the King of Italy had been excommunicated.

SIR GEORGE GREY: I do not doubt that the Pope may excommunicate if he pleases; but I ask the right hon. Gentleman does he suppose that if this excommunication took place there is a single Member of this House or of the Roman Catholic Church in this country who would not repudiate the doctrine that an excommunicated Prince may be deposed or murdered?

MR. WHITESIDE: That was not the question. What I said was that the power was at this moment claimed and exercised by the Pope.

SIR GEORGE GREY: And are we, because the power is claimed and exercised, to impute to our Roman Catholic fellow countrymen that they hold the doctrine that if the Pope should excommunicate the Sovereign they would be absolved from all ties of loyalty, of morality, and religion, and that they would be justified in agreeing to the deposition or even the murder of the Prince? That is the question. This declaration is no security for anything to which we attach any value, and therefore I am willing that it should be expunged. Passing over the intermediate declaration, I will come to the last clause—because it comes under the same head of objection as that with which I have just been dealing—

> "I do solemnly and in the presence of God profess, testify, and declare that I make this declaration and every part thereof in the plain and ordinary sense of the words of this oath, and without any evasion, equivocation, or mental reservation whatever."

What does that imply? It implies that Roman Catholics, as distinct from Protestants, hold that they may take an oath with mental reservation, with equivocation, and with evasion; and that is not an imputation that I am willing to adopt. I do not think that it is just or generous to require a Roman Catholic to make a declaration of that kind, which reflects upon the Church to which he belongs. And in reading this oath, and in listening to the arguments for its retention, one is struck by the absurd attempts that are made to bind consciences which, at the same time, it is said cannot be bound. The oath is very explicit in its terms—why add to it a declaration that it is taken without equivocation, evasion, or mental reservation? If we believe that Members are capable of taking the preceding parts of the oath with evasion, equivocation, and mental reservation, why not the last words too? I believe, then, that these two passages of the oath are needlessly offensive, that they are wholly unnecessary, and that they might, and ought to be discontinued. I come now to other passages which have been dwelt upon more fully by the right hon. Gentleman. The first is the declaration—

> "I will defend to the utmost of my power the settlement of property within this realm as established by the laws."

And can the right hon. Gentleman, I would ask, honestly believe that there sits in this House a single Member who desires to disturb the Act of Settlement? If these words are worth anything, why impose them upon Roman Catholics only? I now come to that part of the oath which relates to the Established Church, and the objection which I have to make to it is that it is so ambiguous and doubtful that different persons have put upon it different interpretations ever since 1829. The late Duke of Norfolk and his brother, who now has a seat in this House, (Lord Edward Howard), I believed entertained the opinion that this portion of the oath was sufficiently doubtful to restrain them from supporting such Motions as those, for instance, for reducing the number of Protestant Bishops, or effecting a different distribution of the revenues of the Church. That, however, is not the view which has been taken by others, who contend that there is nothing in the words by which they

> "Solemnly abjure any intention to subvert the present Church Establishment as settled by law within this realm,"

which can be held to preclude from giving a conscientious vote on any of the various questions which come before us having reference to the temporalities of the Established Church. Is it right, then, that Roman Catholic Members should be required to make a declaration on which different interpretations are placed by men of the highest authority? I again repeat the question — why if these words are worth anything should they be imposed on Roman Catholic Members only? When the right hon. Gentleman opposite referred to the proposal to do away with the bishops of the Church the cheers which greeted his remarks came not from the Roman Catholic Members, but from those Benches which are chiefly occupied by the Nonconformist Members of the House. Is danger to the Church, then, to be apprehended from our Roman Catholic fellow-subjects and not from those honest Dissenters who openly avow their opinions? The right hon. Gentleman has alluded to instances in which Roman Catholics have advocated the view that the Established Church ought to be subverted: but I should like to know whether the language to which he has called our attention differs from the language—the unambiguous language—which is day after day placed on record at meetings of Protestant Dissenters. For my own part, I must say that I think it is desirable there should be only one oath taken by Members of this House. If it be deemed expedient that those words with regard to the settlement of property and the maintenance of the Church Establishment should be retained, then why not, I would ask, extend them to hon. Members generally? If there be any value in them for securing either of the objects to which they relate—which I do not believe—then let us call upon those to take them who, not being Roman Catholics, make no secret of their hostility to the Established Church. Nor do I see why the words which follow—

> "And I do solemnly swear that I will never exercise any privilege to which I am or may become entitled, to disturb or weaken the Protestant religion or Protestant government in the United Kingdom"

should be subscribed to solely by Roman Catholic Members. I believe that, whatever their opinion may be with regard to the Church Establishment, there are no firmer friends and supporters of the Protestant religion, than Protestant Dissenters, yet they do not take the same narrow view as the right hon. Gentleman of this Bill. I find to-day, on referring to the Report of the Committee on Public Petitions, that a petition has been presented from the three denominations of Protestant Dissenters within twelve miles of London, in which, after referring to the Bill before the House, the petitioners express a desire that it should pass,, approving it as being just and reasonable. Such an expression of opinion does, it seems to me, do great credit to the Protestant Dissenters, and I trust the House may take a similar view of the proposal now before us. There can be no sufficient reason for maintaining words which, while they afford no security, are offensive to a large number of our fellow-countrymen. When I use the term "offensive," I do not believe that Roman Catholic Members conscientiously object to take this oath. They submit to take it because it is imposed by law, but they, at the same time, look upon it as an insult and a degradation. Therefore it is that they ask to be relieved from that which in fact affords no security whatever for the Protestant religion. If, however, there should be any hon. Member who thinks that the words having reference to the Church Establishment should be retained, he need not on that account refuse to vote for the second reading of this Bill, if he agrees with me that those other words which I say are needlessly offensive ought to be expunged. I hope, at all events, that the House will assent to the second reading, and go into Committee to consider the provisions of the Bill, and I trust the ultimate result may be the substitution of one common oath for all the Members of this House, that we may be all placed on that equal footing on which I think we ought to stand, and that there may be hereafter no taunts or reproaches against any man founded on the oath which he has taken. With regard to oaths generally—a Return has just been placed in the hands of Members, which well deserves attention, and I may add that it is in my opinion a point well worthy of consideration whether an inquiry should not be made as to the oaths taken not only at this table, but throughout the country, with a view to their revision and to the dispensing with those which have become unnecessary.

MR. WALPOLE: Sir, it is with very great reluctance that I rise to say a few words on this important question. I own I had hoped that all those discussions relating to the oaths to be taken by Members of this House had been brought to an end in 1858. A settlement was then made with the sanction of those who now represent Her Majesty's Government, by which the form of oath was prescribed which was to be taken by all the Members of the House, save those who profess the Roman Catholic religion, and it is with great pain that I once more enter on the discussion of topics which affect the religious feelings of a large portion of the community. Since, however, this subject of oaths has again come before us it cannot be evaded, and the House will, I trust, come, with regard to it, to some definite conclusion. Some arguments have been used by the right hon. Gentleman who last addressed the House (Sir George Grey), which may I think, be removed from the consideration of the question. The point whether an oath is or is not useless for the purpose for which it was imposed is one which can hardly be raised on the second reading of a measure of this kind, which proceeds on the assumption that oaths are still to be taken by Members of Parliament; while the further argument that the form of oath to be taken by Members of the Protestant and Roman Catholic persuasion should be the same is scarcely admissible in discussing a measure which proposes that the form should continue to be different. My right hon. Friend's main argument was that it was desirable there should be one form of oath for all the Members of this House in order that they may, in their legislative capacity, be placed on a common footing. But then the Bill is not a Bill for that purpose, as may be seen by its recital, its enacting clauses, and its title. Its title is—

> "A Bill to substitute an oath for the oath required to be taken and subscribed by the statute passed in the 10th year of the reign of King George IV. for the relief of His Majesty's Roman Catholic subjects."

The question raised by that form of Bill is whether it is not right that we should adhere to what has been called "the tacit compact" which was entered into in 1829, and which, as I think, was confirmed in 1858. If that compact is not to be abided by, then comes the question, would it not be desirable to have one form of oath for all the Members of this House without distinction? If a Bill was brought in to effect the latter object, I for one should assent to go into Committee upon it. It may be said, "You can alter the present Bill for the purpose;" but as I have more than once observed, I look upon it as hardly fair that a measure should be laid on the table for one purpose, and then, when discussed upon the second reading, it should be sought to make it something quite different. Taking the Bill, then, as it stands, I must say that in my opinion there are circumstances connected with the oath which it seeks to displace of which we ought never to lose sight. Previous to 1858, when the oaths prescribed to be taken by Members of Parliament generally were consolidated into one, they were ranged under three heads — commonly called the oath of allegiance, the oath of supremacy, and the oath of abjuration. Those who examine these three forms of oath will find in them three distinct principles. The oath of allegiance involves simply a declaration of allegiance to the Crown. The oath of supremacy, which, as we all know, had its origin at the time of the Reformation, was an oath turning that oath of simple allegiance into one of undivided allegiance. The third oath was introduced on limiting the succession of the Crown, in accordance with the Act of Settlement, so that there might be no doubt as to the Protestant character of this country. Now, the three principles of allegiance, undivided allegiance, and allegiance according to the Act of Settlement involved in those oaths, ought, I think, to be maintained in any form of oath which this House may ultimately resolve to adopt. When, by the Act of 1858, a consolidation of these oaths was effected, you embodied in the new oath all these three principles. The Roman Catholic oath, no doubt, is different from that taken by the Members of the House generally; but it must be borne in mind that the distinction between it and the oaths taken by Protestant Members is to be traced to the different circumstances under which Roman Catholics were admitted to Parliament. They would not take all the three oaths which were in force at the time when the Relief Act was passed, because there were words in those oaths to which Roman Catholics had never been compelled to subscribe since 1791 and 1793, when other measures of relief were enacted in their favour—the words "ecclesiastical and spiritual jurisdiction," for instance, had been altered into the words "civil and temporal jurisdiction"—and that being so, the question arises whether we ought to disturb an understanding—if it may not be called a compact or settlement—which was intended to constitute a condition under which Roman Catholics should sit in this House. Now, I must confess I am very averse to take any step which is avowedly intended to disturb the arrangements made in 1829, unless I have some grounds for believing that the conditions laid down will be adhered to. For thirty years have the conditions to which I have been referring been abided by, and unless you can point out some positive grievance pressing upon our Roman Catholic fellow-subjects, it is but just and right that, for the satisfaction of a far larger portion of the community—the Protestant people of this country—you should not without sufficient reason consent to break through those conditions on which the Roman Catholic Relief Act was founded. If you do not stand by such engagements you but raise up again new religious feuds and animosities to which there will be no end. It is upon similar grounds that I have always been opposed to the repeal of the grant to Maynooth. I was and am of opinion that to disturb an Act so affecting one portion of the community would be to make an attack upon that which by another portion of the community was held dear, and so you would provoke some counter attack in another direction which another portion of the community held equally dear. For the sake, therefore, of peace, and unless you can show that there is something so decidedly objectionable in this Roman Catholic oath that it ought to be expunged, I think the sure, and wise, and prudent course to adopt is to abide by the settlement of 1829. Is there then, I would ask, in the oath anything of a very objectionable character? The right hon. Gentleman (Sir George Grey) has read, clause by clause, those portions of it which are different from the oath taken by Protestant Members of the House. One of those clauses contains a declaration to the effect that the person taking the oath was ready

> "To renounce, reject, and abjure the opinion that Princes excommunicated or deprived by the Pope, or any other authority of the See of Rome, may be deposed or murdered by their subjects or by any person whatsoever."

Now, I wish to be perfectly frank in this matter—if you were going simply to improve the oath with regard to Roman Catholics, and they required this portion of it to be expunged, I think there would be strong reasons for removing words which are not necessary, but which are deemed to be offensive. Then comes the clause in which are these words—

> "And I do declare that I do not believe that the Pope of Rome, or any other foreign Prince, prelate, person, State, or potentate, hath or ought to have any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm."

Now, the main distinction between the Protestant and the Roman Catholic oath is the substitution of the words "temporal and civil" for "ecclesiastical and spiritual," and if you should go into Committee I, for one, being of opinion that it would be better to have one form of oath for all Members, would consent to strike out all those adjectives and epithets in both forms of oath. The constitutional principle involved in them is this, that no foreign potentate possesses any authority or jurisdiction which he can exercise in this country, and I would have that principle laid down in the simplest form of expression—because I believe the simplest to be the best. Before, however, I gave my assent to those words being struck out, I would ask what was the precise object which you had in view in seeking that they should be expunged? If you mean that Roman Catholics hold the opinion that *in foro conscientiæ* their spiritual superior may exercise influence over them, no legislation, I will admit, ought to interfere in that respect between him and them. But if you mean to convey that he may attempt to exercise—what the words themselves imply—jurisdiction or authority within this realm, then I should oppose the striking out of the words in question, because in them is recognized the principle of undivided allegiance. Next came the words—

> "I do swear that I will defend to the utmost of my power the settlement of property within this realm as established by the laws."

Now, in those words I do not believe that there is either any material harm or virtue; but as to those that follow:—

> "And I do hereby disclaim, disavow, and solemnly abjure any intention to disturb or weaken the present Church Establishment as settled by law within this realm."

I loook upon those words as of the essence of the compact made in 1829. I understand my right hon. Friend the Secretary of State to say that it was a question open for consideration, whether they might not in Committee be inserted in any form of oath which may be established by this Bill for Roman Catholic Members, in order to satisfy the people of this country, at a time when open attacks were being made upon the Established Church.

SIR GEORGE GREY: I said that there was no reason why hon. Members who simply objected to the Bill on the ground that the words relating to the Established Church were not in the proposed oath, should refuse to vote for the second reading; I pointed out, however, that the words were open to the objection that they were ambiguous, and were differently interpreted by the highest authorities.

MR. WALPOLE: But if those words relating to the Established Church may be inserted in the oath in Committee, what becomes of my right hon. Friend's main argument, that we ought to have one form of oath for all the Members of this House? This Bill, indeed, will not in any way effect that object, and we, therefore, ought not to be asked to vote for it on that ground. My chief objection to the Bill, however, is that it proposes to disturb the settlement of 1829, to which I think the wise and prudent course is to adhere, and thus avoid the revival of religious feuds. If the House should be of opinion that there are certain words in the present oath which ought to be modified, I should not be prepared to insist on the retention of all of those words; but if the oath is altered at all the alteration ought to be undertaken on the responsibility of the Government—or rather, an oath should be framed by them in the best terms they can devise, placing all the Members of the House in this respect on the same footing. Should such a proposition emanate from the Government I would not oppose the second reading of the Bill in which it was embodied. But the Bill before us is not such a Bill; and this Bill ought, in my opinion, to be opposed, on the double ground that it would disturb the settlement of 1829, and that until the Government are prepared, on their own responsibility, to recommend one form of oath for all the Members of the House it is better to leave matters as they were settled by the measure of 1858. I have endeavoured to state in the most temperate manner the objections which I entertain to the present measure. It is, I am convinced, imprudent to re-open religious questions which have already been arranged. There are, I believe, no wiser words than those of Burke, when he happily compares the extinction of religious factions to volcanoes burnt out. On the lava and sand of those old eruptions grow the peaceful olive, the cheering vine, and the sustaining corn. Let it be so with us. Let the right hon. Gentleman who has charge of this Bill consider this point—that by moving in one direction to get charges for the Roman Catholics, he will stir up a Protestant feeling to get charges against them. Unless these oaths are plainly objectionable they ought to be maintained. And I, for one, am not afraid that the oaths which we take are either futile or useless, for I believe they do operate as a declaration in the face of the House and the country that those who are concerned in the work of legislation are prepared to abide by the pledges which they give to Parliament and the country.

LORD HENRY LENNOX said, he should give his cordial support to the second reading of the Bill, and if he wanted arguments in favour of that course, he should find them in the powerful speech of the right hon. Gentleman who had just sat down. He should, he might add, vote for the second reading with the full intention when the Bill went into Committee to do everything in his power to bring about an assimilation of all oaths. The Secretary for the Home Department threw out upon that point a most valuable suggestion, for he referred to the expediency of dealing not only with oaths which were taken at the table of that House, but also to those which were administered throughout the country by various tribunals; and he would venture to call the attention of the House to the discursive nature of some of the oaths which were now imposed—not upon Roman Catholics solely, but upon others who were obliged to take them with pain to themselves. Hon. Members had not forgotten the celebrated "Durham Letter" in which the Prime Minister of the day thought fit to state that the oaths administered to a large portion of the clergy of the Church of England were so stringent that they were in the habit of swearing to the Thirty-nine Articles and the supremacy of the Crown, and after so doing leading their flocks to the verge of the supremacy of the Pope. It was clear under those circumstances that there were other oaths than those taken by Members of Parliament which required revision. As to the uniformity of oaths, he had heard hon. Gentlemen talk as if there were something unheard of in such a proposal in the case of persons who assembled together to perform a common duty. But was there, in reality, anything new in that principle? Did it not prevail in the case of our Judges, of the Privy Council, of the Queen, and of officers of the army and navy? He hoped the proposal that day made would be followed by the assimilation of all the oaths taken at the table of the House; for to require an hon. Member to swear that he did not believe murder to be justified by the excommunication of the Pope was either an absurdity, or else it was an insult. He, therefore, should join cordially in the vote to sweep it away. The right hon. Gentleman the Member for the University of Dublin said that in point of fact these oaths were of no practical value in restraining Members of the House of Commons from attacking the Established Church in Ireland.

Mr. WHITESIDE: I said exactly the reverse; and I referred to Serjeant Shee, then a Roman Catholic Member of this House, as an authority for the statement that the oath did restrain Gentlemen entertaining opinions like his own from attacking the Irish Church; and the error of supposing that it does not do so is committed by those who themselves do not take the oath.

Lord HENRY LENNOX said, there would be an opportunity of testing the value of the oath when the debate on the Irish Church was resumed. The right hon. Gentleman would then see whether the majority of the Irish Roman Catholic Members would be found voting for the spoliation of the Irish Church or not. But was it from the Roman Catholics that the Irish Church had most to fear? He believed the constant and organized attacks directed against that Church for the last few years had proceeded much more from those who were opposed to all religious establishments whatever. The Wednesday attacks, which were the distinguishing features of the remarkably dull Session of 1862, emanated in every instance from Dissenting Members of the House, and in more than one case did not receive the countenance of Roman Catholic Members. It was said that to adopt the present measure would be to remove one of the safeguards of the Protestant Church. That was a phrase which for many years had been familiar in the House; but if prophecies were to interfere with legislation, those prophecies should be read by the light of past events. In 1856-7 Bills for the abolition of church rates were carried by majorities of fifty or seventy. In 1858 an Oaths Bill was brought forward for the purpose of enabling Baron Rothschild to take his seat, and it was denounced as an attempt not only to overthrow the Established Church but to un-Christianize the Legislature. Yet from the passing of that measure of liberality towards the Jews the anti-Church majority dwindled down until, first, the matter was left to the decision of the Speaker, and the following year it was thrown out by the casting vote of the Roman Catholic Member for the King's County (Mr. Hennessy). Before attaching importance to fresh prophecies it was therefore well to study how old ones had been fulfilled. The State undoubtedly might interpose an oath, but not an oath of an ambiguous character; and if such an oath were put to Roman Catholic Members they had a right to look for the removal of the grievance. A gentleman whose character stood high in that House for consistency and for the spotless purity of his motives, the hon. Member for North Warwickshire (Mr. Newdegate), declared in the course of the discussion in 1858 that if by the admission of the Jews to Parliament the Christian character of the House were once struck down the Roman Catholics would have a just claim to insist that there should no longer be any restrictions on the propagation of their faith or on the teachings of their Church. After such a declaration, solemnly made in Parliament, the hon. Gentleman must not wonder if hon. Members refused to follow him blindly in this instance, in opposition to the Bill. For his own part, he trusted that the admirable speech delivered by the Home Secretary would bear fruit, and that the adoption of the present Bill might be the means of bringing about, what he believed to be right and proper, the assimilation of the oaths taken by all Members of Parliament.

Mr. KENNEDY expressed a hope that

the House would maintain its freedom of action, and insist that after thirty-five years experience it was as competent to deal with the question now as the Parliament of 1829 had been at a time when the measure was only before them as an experiment. What good to Roman Catholics would emancipation have been if their representatives were not permitted to articulate upon one of the greatest grievances that could exist in this or any other country? As a Protestant he was ashamed to see the Church to which he belonged maintained at the sacrifice of those good feelings and kindly relations which ought to exist between inhabitants of the same country. This was not a mere oath of allegiance; it was an oath that muzzled the representatives of six millions of the population. ["Oh!"]; yes, of six millions of the population; for though that whole number might not be in Ireland there were Roman Catholics in England and Scotland as well. Eleven-twelfths of the Irish people were constrained to be silent on this subject, contrary to every principle of right; for it was the duty of the governing body in the country to provide such a form of oath as could be taken without scruple or objection by all the residents in that country; and if this was not done, it was an admission that the rulers were not fit to govern the country. Parliament should legislate in a spirit of justice, and if Roman Catholics were dissatisfied with any of the institutions of the country their representatives ought to be free to express their feelings.

MR. COLLINS said, before entering into the merits of the question immediately before the House he wished to make a few observations upon two preliminary objections which had been just raised. It was stated, in the first place, by the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole), that a measure of this sort ought to have been brought in by the Government; and, in the second place, it was stated that some opportunity ought to be taken to have one form of oath. He (Mr. Collins) fully concurred in the propriety of having but one form of oath. It would be in the recollection of the House that in 1858, when the subject of oaths was before the House and a measure was introduced to blend the three oaths of allegiance, abjuration, and supremacy that were then taken into one, a Motion was brought forward to include the Roman Catholic oaths in the consideration of the proposed oath. The right hon. Gentleman the Member for the University of Cambridge, who was then of a different opinion to what he was now, said he hoped that the House would not agree to the proposed alteration, as it involved a subject quite foreign to the objects of the Bill, and that the Roman Catholic oath had been adopted after much deliberation. He believed that if the noble Lord who had charge of the Bill had adopted such an amendment he would have found that he had endangered the success of his measure. Such was the ground upon which the right hon. Gentleman (Mr. Walpole) opposed the measure for one form of oath in 1858. Lord Palmerston opposed it on a different ground — namely, that it would militate against his measure for the admission of Jews to Parliament. But although he could not on that occasion support the proposal, having been unsuccessful in 1854 in a similar attempt to amalgamate the three oaths, yet both he and Lord Russell were in favour of establishing one uniform vote. It was urged, during the present discussion, that the adoption of the Bill before the House would amount to a breach of compact established in 1829. Well, he contended that if any such compact as was alleged had been entered into in 1829, after the lapse of thirty-five years the present House of Commons was in nowise to be bound by it. He went further, and said that if they refused to pass this Bill they would be guilty of a breach of compact. The oaths which had then been taken had been since altered so far as they concerned the members of all other religious persuasions; and these very expressions which were complained of by Roman Catholics having been expunged from the ordinary oath, it would then be a breach of compact after this to retain them with regard to the Roman Catholics only, considering that it had been framed partly from that enacted in the time of James I., which was intended to meet another state of things altogether. Could it really be necessary in the 19th century that men should swear they did not believe in the power of the Pope to depose Sovereigns, or that Kings might lawfully be murdered by their subjects, and that they made such declarations without any mental reservation or equivocation? In the days of James I., when the oath applied to every one equally there was not the same hardship in taking it; but Protestants had got rid of the disagreeable burden, and left all its weight on the Roman Catholics, who were to have been relieved from all restrictions by the Act of 1829. Now let them imagine an analogous case. Suppose a declaration had been framed to be taken by Irishmen, Scotchmen, Welchmen, and Englishmen alike, that they would tell the truth, and that a Bill had been brought in to relieve all but the Scotch Members, would not the latter have a just right to complain of a fresh grievance being imposed on them? Mr. Ball, formerly Member for Carlow, in reference to the measure introduced in 1858 to alter the oaths required to be taken in that House, but which was thrown out by a coalition between the leading men on both sides, made these observations—

> "In regard to the oath taken by Roman Catholics he thought so long as the oaths remained unchanged they had no great reason to complain, but now, as the oaths were to be changed, and that portions of them were to be actually expunged from the statute book, they might reasonably demand some alteration of that oath required to be taken by them."

It was therefore clear that the question as regarded the Roman Catholic oath had never been settled, but its consideration was merely postponed. Was there, he asked, anything in the conduct of the Roman Catholics in this country to lead to the supposition that they were more prone to treason, murder, and dethronement of kings, in a greater degree, than the members of any other Church? If he had read the history of England correctly he found that it was not the Roman Catholics that had brought Charles I. to the block, or that had effected the destruction of the monarchy. James II. also had lost his throne; but he (Mr. Collins) had never heard that his downfall was effected by the Roman Catholic party. The Parliament of the present day had no right whatever to call upon the Roman Catholics to take this obnoxious oath. If it were to be taken by any sect or party it ought rather to be taken by those who were represented by the hon. Member for Sheffield (Mr. Hadfield)—by the Nonconformists — for they were certainly far more the legitimate descendants of the destroyers of the monarchy than the Roman Catholics. The mere tendering of an oath of the nature referred to was offensive. A man entering a shop with honest intentions did not like to be told that he was to pilfer nothing off the counter. In addition to that portion of the Act of which he had been speaking, another, highly objectionable, related to what was called the settlement of property. Did any one suppose, with the mass of property which had changed hands in the Incumbered Estates Court, that it was necessary to come down and, in the face of the Almighty, solemnly declare that nothing should be done to disturb the Act of Settlement passed 200 years ago? In the ordinary transactions of life men were satisfied with twenty, forty, or at most sixty years' title; but here they were suspected by implication of a desire to rip up titles extending as far back as the time of Charles II. Why not ask men at once to swear that they would not disturb property received as fiefs from the Crown at the time of the Norman Conquest, pledging the Saxons in that House that they would not seek to dispossess the present owners? Really this was child's play. In 1858 the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole) declared that—

> "Our form of oath is entirely inapplicable to the present time, that it is a cumbrous form of oath, and that portions of it have really no bearing on the circumstances by which we are surrounded. If the oath is to be taken at all, it ought to be taken in the most solemn form; and brevity, in my opinion, to a great part of that solemnity."—[3 *Hansard*, cxlviii. 1091.]

The House, therefore, ought clearly to go into Committee, if only to get rid of the objectionable forms of swearing he had just been discussing. If oaths were supposed to have any influence in averting dangers from the Church of England, Roman Catholics were not the persons who ought primarily to take them. Dangers were much more likely to arise from that able and active class of men opposed on principle to all alliances between Church and State, who subscribed large sums of money, who inundated the country with tracts from the Liberation Society, who promoted Burial Bills to interfere with the vested rights of the Church, and measures tampering with the sanctity of the marriage laws. The men more dangerous to the Church than any Roman Catholics were those enlightened men of large views, who were for doing away with restrictions of every kind, who were for freeing clergymen from the necessity for signing any subscriptions, who were for an emasculated Prayer Book, free from any dogmatic statement whatever—as if the religious, Bible-loving, Church loving people of this country would regard with any veneration religious ordinances and religious worship so cold and lifeless as these enlightened men would make them. The Established Church, he was happy to believe, stood in no need of the protection afforded by such oaths; strong in the affections of the country, it could hope to meet successfully all assaults of the Liberation Society. It was said that in supporting the present Bill Gentlemen on that side of the House were touting for Roman Catholic support; that a cry of that kind would be raised against them at the hustings; and they were even told that in doing justice to some of their fellow-countrymen it would be dangerous to forget the prejudices of others. To that taunt he replied that Members of that House were the best judges on points like these, and if the same opportunities were open to others he believed they would arrive at similar conclusions. As the point had been raised he did not wish to give a silent vote; and he maintained that, as a party, it would be an act of folly—of positive insanity—to tie themselves down to a position which was utterly untenable, for the sake, not of defending the Established Church, but of forcing a certain number of gentlemen to swallow an obnoxious oath, and of throwing odium on a large and respectable section of the community.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 190; Noes 134: Majority 56.

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Friday.*

AYES.

Acland, T. D.
Acton, Sir J. D.
Adair, H. E.
Agar-Ellis, hon. L.G.F.
Andover, Viscount
Antrobus, E.
Athlumney, Lord
Ayrton, A. S.
Bagwell, J.
Baines, E.
Baring, H. B.
Baring, T. G.
Barnes, T.
Baxter, W. E.
Bazley, T.
Beale, S.
Beamish, F. B.
Beaumont, W. B.
Berkeley, hon. H. F.
Black, A.
Blake, J. A.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bouverie, hon. P. P.
Bowyer, Sir G.
Brady, J.
Bramston, T. W.
Brand, hon. H.
Browne, Lord J. T.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Butt, I.
Buxton, C.
Calthorpe, hn. F. H. W. G.
Cardwell, rt. hon. E.
Cheetham, J.
Clay, J.
Clifford, C. C.
Clifford, Colonel
Clive, G.
Cogan, W. H. F.
Coke, hon. Colonel
Colebrooke, Sir T. E.
Collins, T.
Colthurst, Sir G. C.
Corbally, M. E.
Cox, W.
Crawford, R. W.
Crossley, Sir F.
Denman, hon. G.
Dent, J. D.
Dickson, Colonel
Dillwyn, L. L.
Dodson, J. G.
Douglas, Sir C.
Dunkellin, Lord
Enfield, Viscount
Ennis, J.
Esmonde, J.
Evans, T. W.
Ewart, J. C.
Fenwick, E. M.
Fenwick, H.
Fitzroy, Lord F. J.
Foley, H. W.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Fortescue, hon. F. D.
Fortescue, rt. hon. C.
French, Colonel
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon. W.
Glyn, G. C.
Goschen, G. J.
Gower, hon. F. L.
Gower, G. W. G. L.
Greene, J.
Gregory, W. H.
Grenfell, H. R.
Greville, Colonel F.
Grey, rt. hon. Sir G.
Gurdon, B.
Hadfield, G.
Hankey, T.
Hanmer, Sir J.
Hervey, Lord A. H. C.
Hassard, M.
Hay, Sir J. C. D.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, rt. hon. J. W.
Henley, Lord
Hennessy, J. P.
Heygate, W. U.
Hibbert, J. T.
Hodgkinson, G.
Holland, E.
Hornby, W. H.
Hubbard, J. G.
Hunt, G. W.
Ingham, R.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kekewich, S. T.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Layard, A. H.
Lanigan, J.
Leader, N. P.
Leatham, E. A.
Lennox, Lord H. G.
Lever, J. O.
Lewis, H.
Locke, J.
Lopes, Sir M.
M'Cann, J.
MacEvoy, E.
M'Mahon, P.
Maguire, J. F.
Marjoribanks, D. C.
Martin, J.
Mitchell, T. A.
Moore, C.
Morris, W.
Morrison, W.
Neate, C.
North, F.
Northcote, Sir S. H.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
O'Ferrall, rt. hon. R. M.
Ogilvy, Sir J.
O'Loghlen, Sir C. M.
Onslow, G.
O'Reilly, M. W.
Packe, Colonel
Padmore, R.
Paget, C.
Palmer, Sir R.
Pease, H.
Peel, rt. hon. Sir R.
Peel, J.
Pender, J.
Pinney, Colonel
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Price, R. G.
Pritchard, J.
Redmond, J. E.
Robertson, H.
Roebuck, J. A.
Russell, F. W.
St. Aubyn, J.
Salomons, Mr. Ald.
Schneider, H. W.
Scholefield, W.
Seely, C.
Seymour, H. D.
Sheridan, H. B.
Smith, J. B.
Smith, M. T.
Stacpoole, W.
Stanley, Lord
Stanley, hon. W. O.
Steel, J.
Stuart, Colonel C.
Sullivan, M.
Talbot, C. R. M.
Thompson, H. S.
Tollemache, hon. F. J.
Tottenham, Lt.-Col. C. G.
Tracy, hon. C. R. D. H.
Vandeleur, Colonel
Villiers, rt. hon. C. P.
Waldron, L.
Watkins, Colonel L.
Westhead, J. P. Brown-
White, hon L.
Wickham, H. W.
Williamson, Sir H.
Winnington, Sir T. E.
Woods, H.

TELLES.

Monsell, rt. hon. W.
Castlerosse, Viscount

NOES.

Adderley, rt. hon. C. B.
Annesley, hon. Col. H.
Arbuthnott, hn. General Sir H.
Archdall, Captain M.
Astell, J. H.
Aytoun, R. S.
Barttelot, Colonel
Bateson, Sir T.
Beach, Sir M.
Beach, W. W. B.
Bective, Earl of
Bentinck, G. W. P.
Bentinck, G. C.
Benyon, R.
Beresford, rt. hon. W.
Beresford, D. W. Pack-
Blackburn, P.
Booth, Sir R. G.
Bramley-Moore, J.
Bridges, Sir B. W.
Brooks, R.
Bruce Major C.
Bruce, Sir H. H.
Cairns, Sir H. M'C.
Cave, S.
Cholmeley, Sir M. J.
Clive, Capt. hn. G. W.
Cole, hon. H.
Cole, hon. J. L.
Corry, rt. hon. H. L.
Courtenay, Lord
Craufurd, E. H. J.
Davie, Sir H. R. F.
Disraeli, rt. hon. B.
Du Cane, C.
Duncombe, hon. A.
Duncombe, hon. W. E.
Dundas, F.
Du Pre, C. G.
Egerton, Sir P. G.
Ewart, W.
Fane, Colonel J. W.
Fellowes, E.
Eergusson, Sir J.
Fleming, T. W.
Floyer, J.
Galway, Viscount
Gard, R. S.
Getty, S. G.
Gilpin, Colonel
Greenwood, J.
Grey de Wilton, Viscount
Haliburton, T. C.
Hamilton, Lord C.
Hamilton, Major
Hamilton, Viscount
Hamilton, I. T.
Hardy, G.
Hardy, J.
Hartopp, E. B.
Harvey, R. B.
Heygate, Sir F. W.
Holford, R. S.
Hood, Sir A. A.
Horsfall, T. B.
Howes, E.
Jervis, Captain
Jolliffe, H. H.
Kendall, N.
Kennard, R. W.
King, J. K.
Kinnaird, hon. A. F.
Knatchbull, W. F.
Knox, hon. Major S.
Langton, W. G.
Langton, W. H. G.
Mainwaring, T.
Manners, rt. hon. Lord J.
Manners, Lord G. J.
Miles, Sir W.
Miller, T. J.
Miller, W.
Mills, A.
Montgomery, Sir G.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Mundy, W.
Murray, W.
Newdegate, C. N.
Noel, hon. G. J.
O'Neill, E.
Packe, C. W.
Parker, Major W.
Paull, H.
Peel, rt. hon. Gen.
Pevensey, Viscount
Phillips, G. L.
Powell, F. S.
Repton, G. W. J.
Rogers, J. J.
Scott, Lord H.
Selwyn, C. J.
Shirley, E. P.
Smith, A.
Smith, S. G.
Smyth, Colonel
Smollett, P. B.
Somes, J.
Stanhope, J. B.
Staniland, M.
Stronge, Sir J. M.
Stewart, Sir M. R. S.
Surtees, H. E.
Sykes, Colonel W. H.
Tite, W.
Tollemache, J.
Treherne, M.
Trevor, Lord A. E. H.
Trollope, rt. hon. Sir J.
Vance, J.
Vansittart, W.
Verner, Sir W.
Verner, E. W.
Walcott, Admiral
Waldegrave-Leslie, hon. G.
Walker, J. R.
Whalley, G. H.
Whiteside, rt. hon. J.
Whitmore, H.
Williams, Colonel
Williams, F. M.
Woodd, B. T.
Wynne, W. W. E.

TELLERS.

Lefroy, A.
Stuart, Colonel W.

DOGS REGULATION (IRELAND) BILL.

[BILL 127.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 3 *agreed to.*

Clause 4 (Interpretation Clause.)

MR. HENNESSY thought that the House was entitled to an explanation of the provisions of the Bill.

SIR ROBERT PEEL said, that he had had no opportunity of giving the House an explanation of the provisions; but before the Bill was laid upon the table of the House he had sent a copy to each of the Irish Members, in order that they might have time to give it their consideration and thus facilitate its progress through the House. He had introduced this Bill in compliance with the pledge he had given when the measure of the hon. Member for Londonderry (Sir Frederick Heygate) was before the House. By the Bill it was proposed to levy a tax of 2*s.* upon each dog, with an additional charge of 6*d.* for registration. The anticipated expense of the working of the Act would be £1,000, and this would be defrayed by the proceeds of the tax, while the estimated balance of £49,000 would be given to the counties. The 6*d.* paid for registration would go to increase the remuneration of the sessions clerks, who in Ireland were but poorly paid.

Clause *agreed to.*

Clause 5 *agreed to.*

Clause 6 (Licence to keep Dogs, &c.)

MR. HENNESSY desired to call the attention of the House to the fact that the Bill contemplated the imposition of a tax in the form of a licence, and that contrary to the usual practice the Bill had not been introduced in Committee of the Whole House, nor the clause relating to this licence been printed in italics. Under these circumstances, he wished to know if the House was competent to proceed with the discussion on the clause?

THE CHAIRMAN said, that the charge imposed by the Bill was merely a local charge; and it was not necessary in that case that the clause should have been first considered in Committee, or be printed in italics.

MR. HENNESSY said, that if he understood the statement of the Chief Secretary the expenses incurred at the first working of the Bill would be borne by the public at large. It was only subsequently that the £49,000 would be given to the counties.

SIR ROBERT PEEL wished to explain. He wished to impress upon the House that everybody, or almost everybody, desired that there should be a tax upon dogs in Ireland. That tax had been made as low as possible, namely, 2*s.* on each dog. The hon. Baronet the Member for Londonderry (Sir Frederick Heygate) assumed the number of dogs in Ireland to be 1,500,000. He himself believed them to number about 2,000,000. He had, however, put them down at 500,000, and a tax of 2*s.* upon that number would give a revenue of £50,000. Out of that sum £1,000 would be directed towards defraying the expenses of the working of the Act, and the remaining £49,000 would be given to the counties.

MR. HENNESSY wished to know what the counties were to do with the £49,000 if they got it? This was, in fact, a new tax imposed upon the counties, and he should not be at all surprised if that sum were eventually made a pretext for the withdrawal or the reduction by the Chancellor of the Exchequer of that small portion of the Consolidated Fund which those counties at present received.

SIR FREDERICK HEYGATE said, that his statement with reference to the dogs was that there were 900,000 inhabited houses in Ireland, and that it was very probable that there was on the whole a dog to each house.

LORD JOHN BROWNE called the attention of the hon. Member for the King's County to the fact that by one of the clauses of the Bill the money raised by this tax was to be paid to the county or borough treasurer, as the case might be, and was to be applied in alleviation of the local rates.

MR. HENNESSY said, that the clause referred to by the noble Lord would not admit the interpretation put upon it. The clause said that the expenses incurred by the Commissioners of Inland Revenue and the Registrar under the Act should be paid out of the proceeds of the sale of the licences. In other words, the money, in fact, went to the Board of Inland Revenue. If so experienced an Irish Member as the noble Lord could fall into such a mistake, it was evident that more information was required on the subject. Under all the circumstances he thought that at that late hour it would be better if Progress were reported. ["No, no!"] He should, therefore, move that the Chairman report Progress.

MR. HENLEY would ask the right hon. Baronet the Secretary of State for Ireland, whether the £49,000 was not to come at first into the possession of the Revenue? He desired to have an answer to the question, because it concerned the point which had been raised as to the form in which the Bill had been introduced; for, if the money was levied in the first instance by tax or by licence, and received by the Board of Inland Revenue, the subsequent destination of the money would not in any way take the measure out of the ordinary category of Taxing Bills.

SIR ROBERT PEEL apprehended that the money would not be dealt with in the manner which the right hon. Gentleman supposed. The petty sessions clerks who received the money would account for it to the Registrar, and the money would remain in Ireland and be accounted for in that country.

MR. HENLEY did not think that his question had been answered by the right hon. Baronet. Who was the Registrar to whom the right hon. Baronet referred?

SIR ROBERT PEEL said, that the Registrar lived in Dublin Castle.

MR. HENLEY: Then he is really an officer of the Imperial Government?

MR. AYRTON was of opinion that this was nothing more nor less than an Inland Revenue Bill, and that the usual course, therefore, ought to have been pursued with regard to its introduction.

THE CHAIRMAN said, that the Bill did not appear to him to be a Taxing Bill in the proper sense of the word. The money raised under its provisions would neither be taken to the Exchequer nor carried to the public account. It was a mere local charge given to a certain officer in Dublin, and ultimately transferred to the counties.

MR. WHALLEY saw no reason why the whole of the money should not go to the public revenue.

MR. W. E. FORSTER hoped that the House in its anxiety to destroy these dogs would not sanction an awkward precedent. With all due respect to the Chairman, he could not help thinking that the Bill was to all intents and purposes a Taxing Bill, and ought to be treated in the usual manner.

Colonel FRENCH said, that the question which had been raised had already been decided by the Chairman, and the discussion ought, therefore, to be confined to the merits of the Bill.

Mr. BLACKBURN said, that this Bill was an inversion of the principle of justice to Ireland. The tax on dogs in England was 12*s.*: why should it be only 2*s.* in Ireland? If they wanted to get rid of these dogs, the higher the tax the more effective would be the measure.

Mr. AYRTON said, that although the question was one of importance, the point could not be further discussed as it was now a quarter to Six o'clock.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

FIRE BRIGADE (METROPOLIS) BILL.

On Motion of Mr. Baring, Bill for the establishment of a Fire Brigade within the Metropolis, *ordered* to be brought in by Mr. Baring and Sir George Grey.

INCLOSURE (NO. 2) BILL.

On Motion of Mr. Baring, Bill to authorize the inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Mr. Baring and Sir George Grey.

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, May 18, 1865.

MINUTES.]—Public Bills—*First Reading*—Pheasants (Ireland)* [109] [H.L.]
Second Reading—Customs and Inland Revenue* (105); Police Superannuation* (95); Companies Workmens' Education* (102) [H.L.]
Report—Metropolitan Houseless Poor* [70].
Third Reading—Married Womens' Property (Ireland)* (70), and *passed.*

COMPANIES WORKMENS' EDUCATION BILL—(No. 102.)—SECOND READING.

The Archbishop of YORK, in moving the second reading of this Bill, stated that its object was to enable Companies and Corporations to provide for the education and religious instruction of the families of their workmen, and to provide means of education and worship for their use. It was undoubted that there did exist a great desire among large Companies employing many workmen to make some better provision for their educational, moral, and religious improvement than was found in many cases to exist at present; and this Bill, which was merely an enabling Bill, provided that such Companies and Corporations, with consent of three-fifths of their shareholders, might vote money or appropriate land for the purposes he had indicated.

Bill read 2ª, and *committed* to a Committee of the Whole House on *Tuesday* next.

REPORTS OF SELECT COMMITTEES.

RESOLUTION.

Earl STANHOPE *moved* the following Resolution:—

> "That in the Case of every Select Committee of this House, other than Select Committees on Private Bills, any Report presented from such Select Committee shall not merely be laid on the table of the House, but shall be printed and circulated; and Notice shall be given on the Minutes of the Day on which it may be intended to take the Report into consideration."

The noble Earl said, that the Resolution was intended to remove an irregularity that existed in the proceedings of their Lordships' House, by preventing a Select Committee laying its Report on the table without its being printed and circulated. At present, if a Report was merely laid on the table, it remained utterly unknown to all Peers who had not formed part of the Committee. It could not be more completely unknown to the House generally if instead of being laid upon the table it had been flung into the Thames. The present system was not only anomalous in theory, but mischievous in practice. In proof of this he might allude to what had taken place with reference to the Report of the Select Committee on the granting of a pension to Mr. Edmunds. That Select Committee presented a Report recommending Mr. Edmunds for a pension. It was merely laid on the table, not printed; and, consequently, it remained entirely unknown to all Peers who had not belonged to that Committee. If it had been printed and circulated among their Lordships the matter would have been discussed both in public and in private; it would have probably been taken into consideration, explanations would have been asked, and probably the result would have been different from what occurred. As it was it remained on the table unnoticed for a week, and escaped observation until other circumstances brought it to light. Of course, no blame attached to the Committee, who merely followed the precedent before them; but the question was how far the present practice was proper or advantageous. He had taken counsel in this matter with the highest authorities among the officers of the House and with his noble Friend the Chairman of Committees, who agreed that the Resolution he proposed would be an improvement, and would be effectual to prevent the recurrence of such a case as that to which he had alluded. He, therefore, asked their Lordships to adopt it.

Resolution *agreed to.*

PHEASANTS (IRELAND) BILL [H.L.]

A Bill to alter the Days between which Pheasants may be killed in Ireland—Was *presented* by The Earl of Belmore; read 1ª; and to be *printed.* (No. 109.)

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, May 18, 1865.

MINUTES.]—Select Committee—On Shannon River *nominated,* Debate *adjourned.*

Public Bills—*Resolutions in Committee*—Inland Revenue Acts.

Ordered—Coroners (Ireland).*

First Reading — Fire Brigade (Metropolis)* [153]; Inclosure (No. 2)* [154].

Second Reading—Dockyard Extensions* [145]; Churches and Chapels Exemption (Scotland)* [147].

Committee—Union Chargeability [31]; Partnership Amendment* [52]; Procurators (Scotland)* [87]; Trusts Administration (Scotland) (*re-comm.*)* [92]; Drainage and Improvement of Lands Acts (Ireland) Amendment* [82]; Public House Closing Act (1864) Amendment* [22]; County Voters Registration (*re-comm.*)* [135].

Report—Local Government Supplemental (No. 3)* [152]; Union Chargeability* [155]; Partnership Amendment* [156]; Procurators (Scotland)* [157]; Trusts Administration (Scotland) (*re-comm.*)* [158]; Drainage and Improvement of Lands Acts (Ireland) Amendment* [82]; Public House Closing Act (1864) Amendment* [159]; County Voters Registration (*re-comm.*)* [135].

Considered as amended—Commissioners of Supply Meetings (Scotland)* [102] [*Mr. Finlay*].

Third Reading—Exchequer Bonds (£1,000,000)* [142]; Land Debentures (Ireland)* [121]; Land Debentures* [120]; County of Sussex* [138].

CAPE OF GOOD HOPE— LONG v. BISHOP OF CAPE TOWN.

QUESTION.

Mr. GRANT DUFF said, he would beg to ask Mr. Chancellor of the Exchequer, Under what circumstances a portion of the expenses incurred by the Bishop of Cape Town in his unsuccessful lawsuit with Mr. Long were repaid to him by the Treasury?

The CHANCELLOR of the EXCHEQUER said, in reply, that the circumstances under which this payment was made where somewhat peculiar. The Bishop of Cape Town presented a memorial to the Lords of the Treasury to the effect that he had been engaged in trying questions which did not concern himself individually, but which related to the rights of the Crown, with reference to his office. That memorial was referred to the Colonial Office, with a request that the Secretary of State would inform the Lords of the Treasury whether, in his opinion, there were circumstances of a peculiar nature in the case which would seem in justice to warrant and require a payment such as the Bishop had asked. The answer of the Colonial Office was, that the question brought under consideration in the case of the Bishop of Cape Town did bear not only upon the position of the Bishop, but likewise upon important questions connected with the prerogative of the Crown, and its titles and rights in the Colonies, and that consequently it would have been the duty, under other circumstances, of the advisers of the Crown to instruct the Law Officers, the Queen's Advocate, and the Attorney General, to attend the Privy Council and watch the case on behalf of the Crown. But it so happened that the Bishop of Cape Town himself had retained the Queen's Advocate and the Solicitor General to act as his counsel, and consequently they discharged the duty on behalf of the Crown, though immediately at the charge of the Bishop of Cape Town. It was therefore thought fit to make some allowance to the Bishop in respect to that portion of his costs which the Crown must have borne but for the circumstance of his having retained its Law Officers. He did not remember precisely what the sum was, but of course the papers could be produced.

MR. HENRY SEYMOUR said, he wished to know, whether there would be an opportunity for a fuller explanation of the matter before the Estimates?

THE CHANCELLOR OF THE EXCHEQUER said, if further explanation was desired, the hon. Member could move for the correspondence.

THE NAVY ESTIMATES.

QUESTION.

MR. CORRY said, he wished to ask the Secretary to the Admiralty (in reference to Return No. 269, delivered on Friday last), The reason why, notwithstanding that Votes were taken for 10,000 Marines on shore in the Estimates for the year 1863-4 and 1864-5, the number actually borne on the strength of the divisions on shore at the end of 1863-4 was only 8,712 men, or 1,288 short of the Vote, and only 8,970 men, or 1,030 short, at the end of 1864-5; whether, in preparing the Navy Estimates for the next financial year, the Admiralty would object to add to the tabular statement (now given in Appendix No. 1) of the number of men and boys "more or less borne than voted," on the first of every month, a similar statement in respect of Marines, distinguishing the number afloat from the number on shore; and whether there would be any objection to distinguish between the Coastguard afloat and the Coastguard on shore, in the tabular statement referred to?

LORD CLARENCE PAGET said, in reply, that it was quite true that the number of Marines was considerably below the number voted on the 1st of April, 1864. There was a deficiency of nearly 1,000 men, and not 1,288 men, as stated by his right hon. Friend, the number voted being 18,000, and the number serving 17,061. Although the Marines on shore were below the number voted, yet of Marines afloat, including the number sent to Japan, there was a very considerable excess. The reason of the number being below the Vote was that there had been a considerable difficulty in procuring really efficient recruits at that time. With respect to the Return of 1865, he had to state that on the 1st of April the number serving was within fifty-five of the number voted. There would be no objection to placing upon the Estimates a statement of the Marines, as distinguished from the seamen and boys.

THE CHAPTER-HOUSE, WESTMINSTER.

QUESTION.

SIR STAFFORD NORTHCOTE said, he wished to ask the First Commissioner of works, Whether it would not be possible to give the public greater facilities for visiting the Chapter House at Westminster than they at present enjoy?

MR. COWPER said, in reply, that the Chapter House had been shut up since the removal of the Records, but if any one wished to see it he could obtain permission to do so upon application to the Office of Works.

SIR STAFFORD NORTHCOTE said, he wished to know whether it would not be possible to give further facilities?

MR. COWPER said, he had not considered the point very much. Some expense would certainly be entailed, and he doubted whether the interest of the public was so great as to warrant the outlay that would be requisite.

THE BRITISH MUSEUM.—QUESTION.

MR. AUGUSTUS SMITH said, he would beg to ask Mr. Chancellor of the Exchequer or the First Commissioner of Works, Whether any Bill is to be introduced this Session, and when, for the removal of certain Collections now forming part of the British Museum, and whether such Bill ought not to be introduced, and the sanction of the House obtained to its main principle, before any expense is incurred in the preparation of plans and Estimates for the erection of buildings elsewhere, to which the said Collections were to be transferred?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that he would endeavour to give the hon. Gentleman the clearest answer in his power. The question of the introduction of a Bill during the present Session for the removal of any portion of the collections of the British Museum must necessarily depend upon the prior question when the Estimate could be produced in reference to the expenditure, and when the opinion of the House could be taken upon it. That was the very point of the hon. Member's objections, and the purpose of his present question. It might be said, why should not the Bill be introduced before the Estimate? That course was adopted in 1862, but it was complained of on all sides. It had been found to be inconvenient by all the speakers upon that occasion, because it mixed up inextricably two questions which were wholly distinct — first, the question of finance connected with the proposed plans, and next the important questions of the government of the Museum by trustees. It had been stated by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), with a force which could not be denied, that the effect of the Government proposing the Bill was to obtain indirectly, and by implication, the sanction of the House to a very large expenditure, which had not been regularly brought before it, and upon which it had no direct means of expressing an opinion. That argument appeared to the Government to be sound, and therefore they believed they should best perform their duty by submitting the question to the House, in the first instance, in a financial shape and under circumstances which would afford the House the fullest opportunity of pronouncing a decided opinion.

Mr. HENRY SEYMOUR said, he wished to know when the Estimate would be produced?

The CHANCELLOR of the EXCHEQUER replied, that it would be produced as soon as questions now under discussion between the Board of Works and the trustees had been settled. Those questions related to the internal arrangements of the building, and it would be necessary to produce perfect plans when they asked for the money.

THE LEEDS REGISTRARSHIP.

QUESTION.

Mr. FERRAND said, he rose to ask Mr. Attorney General to inform the House by whose authority the written statement was prepared from which, on Monday last, he read his replies to the questions relating to the Bankruptcy Court at Leeds, and whether he will lay it upon the table of the House; and whether he will lay upon the table the letter of Mr. Welch, the registrar, which he read to the House on Tuesday last to complete his previous statement, as well as the letter of the Hon. Richard Bethell, confirming the same.

The ATTORNEY GENERAL: I think, Sir, that probably on no former occasion has the House heard so extraordinary a question as that of the hon. Gentleman. When I saw his Notice on the paper that some questions were to be put to me upon a matter of public interest, of course it was my duty to go to what I considered to be the proper quarter in which to obtain correct information; and, having provided myself to the best of my power with that information, upon my own responsibility and in good faith I gave to the House the information I had thus acquired. Any memorandum either made by myself or by anybody else for my use for that purpose is a document which I believe never has been treated as of a public nature, and I wholly decline to treat it as such on the present occasion. As to the letters, if the hon. Gentleman, as between man and man, wishes to see the letter written to me from which I stated the matters which alone I thought useful to state to the House—which is not a public document, and which I am not authorized by the writer to treat as such—he is welcome to see it, for there is nothing to conceal; but I wholly decline to treat it as a public document. I have also authority from the person who received the other letter to which the hon. Gentleman refers to say that if the hon. Gentleman, as a gentleman, has any curiosity to see it, he shall be gratified; but I wholly decline, on my own responsibility, to treat them as public documents.

Lord ROBERT CECIL: I wish to ask you, Mr. Speaker, whether it is competent for a Minister of the Crown to quote in his place letters and papers which he is not prepared to lay on the table?

Mr. SPEAKER: Public despatches, documents, and papers relating to public affairs, if read and quoted by Ministers, may be called for to be laid on the table. But the Attorney General has stated the distinction which he draws in this case, and which distinction certainly appears to me to be a just one.

CROWN SUITS, &c. BILL.—QUESTION.

Mr. HADFIELD said, he would beg to ask Mr. Attorney General, If he intends to proceed with the Bill to amend the practice in Crown suits, or will delay it until after the holydays, to give time to consider if the practice of registering Crown debts can be amended by Clauses to be introduced to render it unnecessary for *bonâ fide* purchasers of real estate to incur the expense of searching the registry before they can complete purchases?

The ATTORNEY GENERAL, in reply, said, he did not propose to proceed with the Bill that night, but he was anxious to proceed with it as quickly as the course of public business would allow—giving, of course, fair time to those interested in the measure to consider it. He was not disposed to postpone it so long as till after the holydays, but he would fix it for that day week.

ARMY—MILITARY TELEGRAPHS.

QUESTION.

Captain **JERVIS** said, he would beg to ask the Under Secretary of State for War, If any system of telegraphing has been finally approved and adopted for the Army; and, if so, whether there will be any objection to lay upon the table of the House a copy of the Reports of any Committee or Committees on the various systems submitted to them?

The Marquess of **HARTINGTON** said, in reply, that the Select Committee and other Committees had inquired into the various systems of military telegraphy, and that recommended by Captain Bolton would, he believed, be ultimately adopted. The measures for the organization of the system were still under consideration; but as soon as they were decided upon he should be able to say what portion of the Reports he would be able to lay on the table.

UNION CHARGEABILITY BILL.

[BILL 31.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Repeal of the 4 & 5 *Will.* 4, c. 76, s. 26 Provision. The Relief of all the Poor in Union to be charged to the Common Fund.)

Sir **JOHN JOHNSTONE** said, he wished to propose an Amendment, the effect of which would be to put the clause in harmony with a new clause he intended to bring up, providing for a gradual approach to the principle of union rating by annual instalments up to the year 1870. He therefore moved in line 14, after "shall," to insert, "subject to the provisions hereinafter contained."

Mr. **C. P. VILLIERS** said, that he did not object to the insertion of the proposed words.

Sir **BALDWIN LEIGHTON** said, that as the right hon. Gentleman the Chancellor of the Exchequer had just taken 2*d.* in the pound off the Income Tax, and the right hon. Gentleman the President of the Poor Law Board now proposed a measure which would impose an additional burden of about 3*d.* in the pound upon the agricultural interest of the country to the advantage of the towns, it was desirable that the whole law of assessment should be inquired into, as well as the exemptions of stock-in-trade and other species of property. He therefore hoped the right hon. Gentleman (Mr. C. P. Villiers) would give some assurance that all those questions should be considered.

Mr. **C. P. VILLIERS** said, that when he was questioned on the subject the other night he had said that next year the Act for the exemption of stock-in-trade would come to an end, and as that would be an opportunity for an inquiry whether that exemption should be continued, it might also be an occasion for inquiring into all other assessments. If such an inquiry were proposed he should support it.

Amendment *agreed to.*

Viscount **ENFIELD** moved in line 15, after "poor," to insert—

> "and the expenses of the burial of the dead body of any poor person under the direction of the guardians, or any of their officers duly authorized."

Amendment *agreed to.*

Mr. **HIBBERT** moved in line 15, after "incurred," to insert—

> "and all charges thenceforth incurred by the guardians of such union in respect of vaccination and registration fees."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 2 (Guardians of Unions, &c.)

Mr. **HENLEY** moved in line 17, to leave out "when," and insert "no;" leave out "such," and insert "or parish;" leave out from "be" to end of the Clause, and insert—

> "liable to be or be removed to any other Union, parish, or place, or to Scotland or Ireland; and the several Acts recited in the Schedule to this Bill shall be repealed."

The right hon. Gentleman said: Sir, I rise to move the Amendment of which I have given notice, and the object of which is to entirely do away with all removals of poor persons. This Bill was introduced to the House by the right hon. Gentleman the President of the Poor Law Board in a speech in which he stated most strongly the evils which the poor suffer from what he calls being "shuffled" about by all sorts of methods from one place to another, in order that they may be prevented from obtaining a settlement by three years' residence in one parish. He very much rested this Bill for shifting burdens which have been sanctioned for 200 years on the alleged benefits to the poor which would arise from the change. I now want to test the sincerity of the right hon. Gentleman and those who support him, as to whether they really do mean by this Bill to benefit the poor, and free those poor persons who may want relief from all the manœuvres, and consequent miseries and other evil consequences which the present law of removal entails upon them. It is necessary that I should call attention to a Return presented to this House by the right hon. Gentleman himself, and with the contents of which he must, therefore, be well acquainted. It shows the number of orders of removal for the year ending the 25th of March, 1863, and I beg of the House to attend to that date, because it is a material element of consideration. The House will recollect that during 1863 a great pressure from accidental circumstances arose in the county of Lancaster; necessarily there was a great pressure on the poor in that county; and, therefore, I think when the House sees what the number of removals were at such a time they will come to the conclusion that the case is now ripe to be dealt with. The right hon. Gentleman, when speaking the other night of those whom he was pleased to call "the farmers' friends," quoted from paper after paper in which the desire was distinctly expressed that those removals should be done away with, and that as large an area as possible should be adopted. It appears, from the Return for the year ending March 25, 1863, that the total number of orders of removal in England amounted to 5,689, and the whole number of persons removed to 13,900. Therefore we may say in round numbers that something like 6,000 orders for removal were made, and that something like 14,000 persons were removed—or not quite 2½ persons under each order of removal. The money expended in carrying out these removals was not less than between £19,000 and £20,000, and that was independently of the expense incurred in the maintenance of those persons while the orders were being worked out. In addition to those English removals there were 416 Irish and a very few Scotch and Channel Island removals. The carrying out of this system imposes hardships and involves cruelties which no care can prevent, and I believe the greatest boon we could confer on the poor would be to set the labour of the country free, and do away with this dreadful system. Let us see for one instant how limited will be the benefit conferred by the Bill of the right hon. Gentleman. Out of the whole number of removal orders only 366 were made out for removal from one place to another within the same union, and therefore all the Bill would do as it stands would be to get rid of those 366 orders. But every one knows that an order of removal to a place within the same union does not necessitate, and in most cases does not cause the removal of the person. It is a mere document to shift the charge from parish "A" to parish "B," and in most cases the poor are allowed to remain where they are. The House cannot forget the case which occurred in connection with a union at Greenwich or some place in that direction. A poor Irishwoman who had been only recently confined was put on the deck of a vessel in the depth of winter, and nothing but the humanity of a man who was on board interfered to check her removal to Ireland in such a way and at such a time. An inquiry was instituted, and how had the law been evaded under the management of the right hon. Gentleman the President of the Poor Law Board? A pauper had been employed to carry out the removals, and what was the use of levying a penalty on a pauper? That is the way the dodge was worked; and it does not appear that the Poor Law authorities took care to prevent it. The fact is, you cannot prevent the infliction of cruelties under such a law. A third, or nearly a third, of the whole of the removals—namely, 2,200 out of the 5,689—were from this metropolis; and if my recollection serves me rightly, the total number of persons relieved throughout the whole length and breadth of England was stated to be about 1,000,000, and the cost of the entire maintenance, indoor and outdoor, £4,000,000. The figures, as my right hon. Friend must be aware, show that these expenses come to about £4 per head. The number of persons in each order of removal was, as I said before, something like 2½ to each order, but of course in the metropolis many of the removals that have taken place have been from one part of the metropolis to another. They are not all external, and some, no doubt, are from places external back again to the metropolis. Now, the whole rateable value of the metropolis, so far as the poor rate is concerned, and so far as I can ascertain, is nearer £11,000,000 than £10,000,000. The orders of removal within the metropolitan area have been something like 2,000, and multiplying that number by 2½, we find the number of persons removed was 5,000. Taking the cost of removal to be £4 per head the total amounts to £20,000, manifestly an utterly insignificant sum when compared with the rateable value. Then comes the question, are we justified in keeping this charge, and is there any danger in abolishing this system of removal; is there any possible ground for reasonable apprehension? An hon. Friend of mine has suggested the propriety of softening down the time of removal to one year. But I argue thus: We first limited the time for removal to five years, and no inconvenience was felt; we then further limited it to three years, and still no inconvenience was felt; then why not take the final step at once and for ever, and abolish the system altogether? Why do I say we should not hesitate to take this step at once? The right hon. Gentleman told us in strong language that now, when the time for removal is limited to three years, the people are hunted about in order to prevent their remaining so long in a parish. If that be the case now, what will take place when the time is limited to one year? Why, the unfortunate poor will be like peas in a shovel, they will not be allowed to be still for a moment. In the language of the right hon. Gentleman, they would be hunted about from one place to another, in order to prevent their becoming chargeable through one year's residence. The evil is bad enough at present, but what will it be when you multiply it by three? I say, act like men, and do away with the system altogether. Had the right hon. Gentleman proposed the Bill in this sense he would not have found me opposing it. I tell him that honestly and plainly, because in my opinion such a measure would be a great boon to the poor man. Did the right hon. Gentleman, or those who preceded him, meet with any opposition when passing the Act for throwing the irremovable poor upon the common funds? So far as I recollect, there was no opposition worth mentioning. And for what reason? Because everybody felt that that was a measure which would be a great boon to the poor man, and they were willing to bear their fair share in lightening his burden. But when a measure is proposed, such as the Bill we are now considering, which confers no boon upon the poor but merely saves some trouble to officials, the right hon. Gentleman cannot expect that it will not be opposed. The difference in principle between the two measures appears to me to be so clear that I hardly like taking up the time of the House in explaining it. With regard to Lancashire, which appears to be the strongest case cited on behalf of the Bill, it appears that the number of removals in the year 1863—a year of extraordinary pressure—was 977, and what was that compared with the enormous wealth of Lancashire? The saving effected would be almost inappreciable. What becomes of the pretence of which we have heard so much about alleviating the burdens of the poor—supposing there is any sincerity in those who make use of that argument—if you refuse to relieve your poorer brethren of this great curse upon them? The question is now very much narrowed, for it will be impossible to prevent the rates of the metropolis being equalized, after the Bill before us shall have become law. I hope the hon. Members who represent the metropolis, with all its vast wealth, will not stand in the way of such a great boon to the poor. So that when we have made these changes we may have the satisfaction of knowing that we are at all events conferring a benefit upon the poor man. As the system remains at present our Irish fellow countrymen endure great miseries under it; but until it is abolished in this country we cannot do anything with it there. I am not either by age or by disposition a very rash man, and if I believe there would be the slightest danger in abolishing the system, I should not stand here and propose such a measure. The words I move will have the effect of doing away with removals altogether. I believe if they can succeed once and for ever in getting rid of this question of removal it will confer greater credit upon Government than anything they have yet done.

Amendment proposed, in line 17, to leave out the words "When any," in order to insert the word "No."—(*Mr. Henley.*)

Mr. AYRTON said, the right hon. Gentleman who had just sat down, told them he made this Motion as a test of the sincerity of those who were promoting and supporting the Bill. Therefore the House might congratulate itself upon the admission of the right hon. Gentleman that his objection was not to the principle of the Bill, but to the inconveniences which might arise if the Bill were passed without the Amendment he proposed, which he alleged would, by giving a wider effect to the measure, complete that reform of the Poor Law system of which the Bill might be regarded only as a commencement. It must be a source of great satisfaction to all parties to find there was a road by which they might arrive at unanimity in dealing with this question for the benefit of the poor. He (Mr. Ayrton) could not be charged with insincerity upon this point, as during the five or six years he had sat in Committees of the House appointed to consider the subject, he had always advocated the principle of extending the area of rating, and of abolishing the law of removal. It had always appeared to him that the two principles were so intimately connected that it was impossible to deal with one without the other. The only question which remained, therefore, was which were they to deal with first. Every one who had studied the legislation during the last thirty-five years upon this question, would be convinced that the great obstruction to carrying out a uniform system with regard to the Poor Law was the disinclination of those who held large estates, and who possessed great influence, to allow successive Governments to propose a measure for the purpose. He must say he admired the courage shown by his right hon. Friend (Mr. C. P. Villiers), in setting aside the attempts that had, doubtless, been made in order to prevent him bringing the matter under the notice of the House. By the positive vote of the House that obstructive difficulty had now been got rid of. The moment that the area of charge was so extended as to render the charge of maintaining the poor fair and reasonable throughout the country, there would no longer exist any reason, as far as the ratepayer was concerned, for insisting upon the right of removal. With reference to the pauper, the argument was that if you did not remove paupers, people would go about from place to place for the mere pleasure of making themselves chargeable. That was an idea which had grown out of past errors in Poor Law administration, and would have no reference to the application of the law by an intelligent Board of Guardians acting for all. Under such a system, the only motive which a man could have for moving from place to place would be to get work by which he might live as an honest man. This was proved by the experience of Ireland, where there was no law of removal, but where the Poor Law was administered in an intelligent and discriminating spirit, and in such a manner as to prevent any jealousy on the part of the labourer. There no such theories had ever been admitted as found favour with the hon. Member for Worcestershire (Mr. Knight) and others, that the Poor Law was a kind of regulated system of national charity and so on. It was remarkable how completely the people of this country had been injured and demoralized by a false system of Poor Law relief founded upon such views. In Ireland, with a population of nearly six millions said to be always on the verge of want, the annual charge for the poor was only £600,000, whereas in this country, with a population of 20,000,000, the annual charge for the poor amounted to £6,500,000. In this wealthy country, where industry flourished with remarkable freedom and vigour, and which was said to be the envy of the whole world, the number of paupers who were chargeable on any day in the year was 1,079,000, while in Ireland it was only 55,000. Can any one doubt that the large number of paupers in England was the result of the demoralization of the working people occasioned by a false system of administering the Poor Law? and he had no doubt that the first effect of this measure would be to compel the guardians as a body to apply themselves to the proper administration of the Poor Law, and the next to improve the moral condition of the people, so that ultimately they might be elevated to the standard of the people of Ireland. He spoke advisedly when he said "of the people of Ireland," because he had no doubt that the moral standard of the people of Ireland was infinitely higher than that of the people of this country, a circumstance which he attributed, first, to their not having had a Poor Law until lately; and, secondly, to the better administration of the Poor Law in that country, the poor not having been demoralized by a system similar to that established here. Uunder the operation of this Bill we should get rid of the false ideas which had long prevailed; it would be understood that the first object of the Poor Law was to maintain the independence of the self-supporting and honest members of the working classes; and when that had been done no evil could result from the abolition of the law of removal. There remained among us now some of the leaven of the old statute in which the people were described as going about to parishes in which the best stocks were to be found, and where they could obtain most comfort from the Poor Law. That was the origin of the whole system of settlement and removal, and that motive being removed all the restrictions which had grown out of the original error of the Poor Law might be abolished at once. No one would propose that we should regard the Poor Law as part of a system of communism or socialism, and should establish a factory in each parish for the purpose of employing the people and paying them wages. The Poor Law Guardians would have to apply themselves to a more intelligent application of the system. Their object ought to be to give to the people the full benefit of railways and of all means of transporting themselves wherever their industry was needed and where they could earn the best wages. The right hon. Gentleman (Mr. Henley) had justly pointed out that if the law was altered as he desired, it would be necessary that the metropolis should be considered as one union; and one of the Resolutions of the Committee, from whose Report this Bill had originated, was that in any legislation upon this subject it would be necessary to regard the metropolis as an exception to the rest of the country, and as requiring some special provisions, it being in fact one large city. One of the recommendations of that Committee had been adopted with reference to the houseless poor, and if the Amendment of the right hon. Gentleman was accepted, it would be necessary to go further in the same direction. A servant who had been employed in Belgrave Square could not if discharged find lodgings in that neighbourhood, but must betake himself to those parts of the town where the poorer classes were gathered together; and it would not be fair to saddle such unions with the cost of maintaining persons who only came there when they were most likely to become chargeable. Some persons were afraid lest if the law of removal was abolished the difference between the dietaries in English and Irish workhouses should lead to the migration of a large number of paupers from Ireland to this country. He did not think that there was any real reason to apprehend such a migration, but if there was any danger of its taking place the guardians had the remedy in their own hands. They would simply have to treat Irish paupers coming over under those circumstances to all the comforts of the workhouse under the most rigid system of administration, and he felt assured no Irishman would be likely to leave his country and friends for the sake of indulging in such a privilege. He had only to say in conclusion that he hoped unless there were some reason, which he did not see, to prevent the introduction of the proposal of the right hon. Gentleman opposite into the present Bill, the President of the Poor Law Board would take that course; or, if not, that he would, at all events, give a distinct pledge to lay upon the table of the House a measure to accomplish the object which the right hon. Gentleman had in view.

SIR WILLIAM JOLLIFFE said, that every step taken to prevent the removal of the poor had been productive of good, but he was somewhat afraid of taking a step so much in advance as that proposed by the right hon. Gentleman. We enjoyed in this country great liberty of removing from place to place, but he had heard his right hon. Friend (Mr. Henley) say lately that we were becoming the most police-ridden country in the world, and we must beware that we do not adopt measures which would render it necessary to have resort to the intervention of the police in matters of removal. There were a great number of persons who went from fair to fair, and a large number of Irish in the metropolis, who were, in fact, a constantly migrating population. It might make landlords much too stringent if they did away with removability altogether, and therefore he was not willing to take so large a step with respect to all settlements. He thought it would be well if a measure of the kind proposed by his right hon. Friend were brought in as a separate measure, and he (Sir William Jolliffe) should be glad if so, to give it his support.

MR. ALDERMAN SIDNEY said, that he begged to thank the right hon. Member for Oxfordshire (Mr. Henley) for the enlightened views which he had expressed in his speech. As a measure of justice to the poor he thought no one could doubt that these restrictions were most unjust. In this metropolis they were indebted very much to what was termed the migratory habits of the Irish poor. Without such labour they would find themselves at a great loss, and he could not see why, when a large society called forth so much labour, they should be unwilling to support the destitution which was necessarily occasioned. The sentiments expressed by the right hon. Gentleman were quite in unison with those which the metropolitan ratepayers entertained. The time had, he thought, arrived when the law of removal should be altogether expunged from the statute-book.

SIR WILLIAM MILES said, he wished to call the special attention of the House to the evidence recently placed before it, and which was extremely singular in its character, though the right hon. Gentleman (Mr. Villiers) had not gone much into it, but had contented himself with making general assertions. The Chairman of the Board of Guardians of the London Union was examined before the Select Committee that had sat on this subject in 1861–2, and he stated, that in his opinion the law of settlement should be abolished. Mr. Blatchford, the Chairman of the Fulham Board of Guardians, said he thought the law of settlement should be totally abolished, but not until the area of chargeability was enlarged, because if they were to abolish it before such a measure as that was adopted, they would swamp some parishes entirely. He (Sir William Miles) entirely agreed with the witness on that point, and he thought his right hon. Friend (Mr. Henley) had, with great propriety, made his proposal as a supplement to the present Bill. He quite agreed with the hon. Member for the Tower Hamlets (Mr. Ayrton) that there should be but one rate for the whole of the metropolis, and he hoped that the hon. Member, and those who thought with him, would support this Amendment, because they might depend upon it this question must be considered very shortly in its entirety. It appeared to him that the present unequal system of rating in the metropolis could not be continued for three years longer. Mr. Esdaile, overseer of St. George's, Surrey, was also examined, and likewise expressed his disapproval of the law of settlement. Mr. George Goodwin, Chairman of the Board of Guardians of Norwich, stated that he was in favour of making the poor chargeable to the district where they were employed. Mr. George Bowring, clerk of the guardians of the London Union, said the effect of the union rating would be to make the richer parishes pay more and the poorer parishes less. He did not think that union rating would have much effect in increasing or diminishing pauperism; but he said that the abolition of the law of settlement would circulate labour. Mr. May, clerk of the Macclesfield Union, said he would have all settlement done away with. He (Sir William Miles) believed that by abolishing the law of settlement and removal they would greatly add to the comforts of the poor and improve the interests of the ratepayers. The witnesses whose evidence he had quoted, stated in distinct terms that one of the most effectual methods of benefiting the poor was to allow labour to circulate freely. He hoped they would be able to make the Bill a good one, and he confessed that he looked forward with some anxiety to the answer of the President of the Poor Law Board. Some Gentlemen, no doubt, might be afraid of an influx of Irish paupers; but he did not apprehend that any such result would follow. He recollected the misery that was suffered in the years 1845 and 1846, when so many Irish paupers were sent over from Liverpool to their country and then reshipped to England. He trusted that such a state of things would never again occur, and in order to provide against the possibility of its recurrence, he hoped that the House would agree to the Amendment of his right hon. Friend.

MR. BAGWELL said, that Ireland suffered more than any other part of the United Kingdom under this law of settlement and removal. He was, therefore, delighted at the prospect of getting rid of the ill-feeling engendered by the removal of paupers from England to Ireland. He was Chairman of a Board of Guardians, and it had often occurred that an Englishman had presented himself to the Board for relief which they gave without hesitation. In Ireland, according to law, wherever a pauper was found, the ratepayers were bound to relieve him; whereas paupers were frequently sent to Ireland from England who had completely forgotten their native country. In his own union paupers were all sent to the house, instead of being offered outdoor relief, and therefore they had no wandering vagrants. If it were possible to introduce that system into this Bill, he would give it his support. If the right hon. Gentleman did not adopt the principle at present, he hoped some other hon. Gentleman would at no very distant date introduce a separate Bill for the purpose of carrying out that object.

MR. PUGH said, he should have great pleasure in supporting the Amendment of the right hon. Gentleman (Mr. Henley) if he went to a division. When this Bill was before the House for a second reading he said that he should vote for it, not only on account of its own intrinsic merits, but because it was a step in the right direction. That direction was now pointed out to them by the right hon. Gentleman in recommending the abolition of the law of settlement and removal. The step might appear to be bold, but it had the sanction of high authorities. It had been recommended by Adam Smith a century ago. It had been recommended by a Select Committee of the House of Commons in 1847, who agreed to four Resolutions:—That the law of settlement and removal was injurious—1st, to the working classes; 2nd, to the employers of labour; 3rd, to the ratepayers; and 4th, that it ought to be abolished. These opinions were echoed by the country. Five unions in the county of Suffolk expressed the same sentiments; as also did various unions in other counties, in answer to inquiries which were instituted by the Poor Law Board in every direction through their Inspectors, whose Reports were made and published in 1850. And now they had the authority of the right hon. Gentleman, who was not likely to counsel a rash and precipitate step; and if any one feared the experiment he would say to him—

> "Tu ne qua parentis
> Jussa time; neu præceptis parere recusa."

The measure would be advantageous in this respect—that it would be free from those jealousies and heartburnings which might be attendant on the passing of the Union Rating Bill, where large towns and rural districts were in the same union. The interests of town and country would not be so strikingly brought into collision. Therefore it was that he had not been influenced by the arguments which had been directed against that Bill, as he considered it as temporary and provisional, and destined to lead to that larger and final measure which now occupied their attention, and which he believed would in the course of time, with great advantage to the community, become the law of the land.

MR. C. P. VILLIERS: It is quite evident the House wants to come to an early division on this subject. Sir, I cannot help thinking that there is nothing very real in this Motion, and that it is not really proposed for the purpose for which it appears to be moved. Certainly, we have great authority for receiving a repentant sinner with welcome, and we ought, therefore, to hail the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) with all that joy which we know is promised to those who have sinned and who repent. So aggravated a case of an offender in this matter can hardly be found in this House. The right hon. Gentleman has, as I believe, taken the House, and he has certainly taken me, by surprise. Notice has been given, a speech has been made, and reasons have been assigned for the great change which the right hon. Gentleman proposes instantly to be made. He proposes, by an Amendment, to insert a few words, and omit a few other words. Perhaps, however, the right hon. Gentleman has hardly considered what it is he does propose. I beg leave to say that what the right hon. Gentleman proposes is the instant and complete abolition of the system of removal and settlement. That, I say, has taken me a little by surprise, because we know the opinions formerly entertained by the right hon. Gentleman on this particular question. I know no one so alive to these matters, or who has so constantly expressed his opinions on things of this kind. I will, however, venture to say that this is the first time that the House has heard that these are the views of the right hon. Gentleman, or that he ever contemplated such a measure. I took some interest in this matter before I presided over this Department. I have watched these measures, and I have listened to the sentiments expressed at various times by the right hon. Gentleman. Well, Sir, I have been on Committees with the right hon. Gentleman. I have remarked his votes, and have heard his speeches, and having regard to those votes and speeches, I am, I think, justified in saying that I am astonished at the course he has taken to-night. I do not mean to say that we ought to look behind the scenes and search for a man's motives. If he proposes anything good, and is an influential person, we ought to get all the good we can out of it without reference to what he has done before, and without taunting him with inconsistency. But in 1846 the right hon. Gentleman objected to any measure of this kind, and curiously enough, seeing the sympathy he has expressed for the poor of that country this evening, that was an Irish question. The right hon. Gentleman then said that if the House were to declare by law every Irish person in this country to be irremovable they would walk over into this country in such numbers that a heavy burden would be thrown upon English parishes. Well, that did not encourage one to expect that the right hon. Gentleman would introduce the measure he has proposed to-night. But the most important occasion on which the right hon. Gentleman expressed his views was in 1847, when he took a prominent part in the Committee which sat that year on the subject of the law of removal and settlement. Some one moved that the power of removing destitute persons from one part of the country to the other should be abolished. That Motion was lost by one. I will not say that the casting vote was given by the right hon. Gentleman. But who was in the majority on that occasion? Why, the right hon. Gentleman the Member for Oxfordshire. He is no young man in the consideration of these questions, and his views may well be supposed to have been matured long since. Had he changed the views he then expressed on a subsequent occasion? Mr. Baines in 1854 brought in a Bill which in its main features was passed seven years afterwards, and which contemplated the abolition of the law of settlement and removal. The right hon. Gentleman was first in the field against Mr. Baines. He said that the measure was proposed on the authority of the Reports of Commissioners, and that he did not believe a word they said, and that their Reports were not worth the paper they were written on. The right hon. Gentleman said that he knew something of the poor, and that they did not want the change proposed, and that, though they might be scattered about the world, they generally entertained the wish and the hope to end their days in their several parishes, which they looked upon as their home. Well, that is not a very strong argument in his favour. I never thought he had so much objection to the system of settlement. Then he gets to the favourite topic of the shifting of burdens. He resorts to the old method of disheartening any one who brings forward a measure on the subject, and discouraging the House from accepting it. The right hon. Gentleman is not insensible to the legislation which has taken place in this House. Some persons were astonished that certain measures were allowed to pass that made this Bill necessary. Why was the measure of 1861 passed? The right hon. Gentleman did the best he could to prevent it. He said that nothing could prevent the House from having to pass another measure; that there would be first a union rating, and then an abolition of the whole system. He has been consistent in his opposition to that Bill, and he opposed it tooth and nail. He has been acting in co-operation with the hon. Gentleman the Member for Worcestershire (Mr. Knight). I do not know which is the leader and which is the party, but they have both acted with great authority in warning the House that they could not pass the measure of 1861 without soon passing a Bill like the present. What the right hon. Gentleman has done since this measure has been proposed has been to throw doubt and to excite distrust and alarm in the country with regard to this Bill. Well, the divisions which have taken place do not show that the right hon. Gentleman has got that influence in the House which perhaps he ought to have, and which it might be expected that he would have. ["Question!"] The hon. Member for Shoreham (Mr. Cave) says "Question;" but I beg to remind the hon. Gentleman that the right hon. Gentleman the Member for Oxfordshire stated that his object in introducing this Amendment was to test my sincerity. Well, the question that is raised will test the sincerity of more persons than one, for I say, notwithstanding that the hon. Gentleman cries "Question," that people out of this House are very much interested and very much in earnest with respect to this subject. They want to know what course the right hon. Gentleman has taken hitherto—whether he has been always consistent, and what he has been doing since the measure was introduced. I say the public want some explanation of all this. The right hon. Gentleman has been alarming the whole country. He says it is a rash, a hasty, an ill-considered measure—I think he even called it "a social revolution." When this measure, to which the only objection is that it is moderate, that it is careful, that it is only a step in the right direction, is thus spoken of by the right hon. Gentleman, and by those Gentlemen who are supposed to be authorities on all that is safe and conservative, I think we have a right to ask what is the character of this Amendment which the right hon. Gentleman proposes—whether it is more reasonable, more moderate and, more cautious that the one which I have proposed to the House. The right hon. Gentleman remembers, I dare say, the speech which Sir James Graham made upon the Bill of 1861. He knows that Sir James Graham was extremely anxious not only to pass the Bill before the House but to go the length of the right hon. Gentleman; and in the division to which I have already referred it will be found that Sir James Graham voted for the abolition of removal, while the right hon. Gentleman opposite voted against it. Sir James Graham seeing the Bill proposed in 1861, gave it his hearty support, and why?—because he thought it would lead eventually and safely to carrying the other measures. He explained on that occasion the measure of Mr. Baines, which had been submitted to Lord Aberdeen's Cabinet, and he stated in this House, what he told me privately, that he thought the Bill of Mr. Baines went too far, for Mr. Baines proposed three things,—the total abolition of all compulsory removal, the extension of the area from parochial to union, and the establishment of an equal assessment of all rateable property. Sir James Graham said that Mr. Baines proposed to put the three things into one Bill and that therefore it failed, and he added that he approved himself of proceeding gradually. Now, Sir James Graham was sincere, and gave proof of his sincerity when he voted in Committee. He had nothing to gain by voting as he did; he knew the subject well, he had been always considering how to pass Bills for the purpose of getting rid of the question of settlement and removal. Almost the last speech he made in this House was upon this subject, and he expressed his entire approval of the gradual proceedings of the Government in this matter. Well, that Bill of 1861 was passed. And then he said that the next step was to extend the rating from the parish to the union, but he added, "Don't alarm the people, don't attempt too much at one time, because if you do you will do nothing at all." Well, I cannot help thinking that the right hon. Gentleman the Member for Oxfordshire is pretty much of the same opinion. The right hon. Gentleman is as sagacious a man as Sir James Graham was, and he probably thinks if we only propose too much it can be thrown out altogether. I think that is very likely. I do not say it is the object of the right hon. Gentleman, but I say it is likely to occur, and I must say that the right hon. Gentleman has done everything he could to prevent the passing of this Bill. If the right hon.

Mr. C. P. Villiers

Gentleman had said from the first, "I don't quite agree with you; I think you don't go far enough; I will go further," then all men would say, "You are a consistent man, you are sincere, and we will follow you." But when we see the right hon. Gentleman upholding what he calls the parochial system, condemning every measure of a different kind, denying all the facts upon which we recommend the abolition of removal, steadily opposing this measure — first in the field against it, last in the field against it, and, only when he finds overwhelming majorities on the other side, proposing something which will not be carried but which he thinks, if carried, would be rejected either upon the third reading of the Bill or in another place, I think the public will see these things and understand them. I can assure the right hon. Gentleman and his godfather in this movement, the hon. Baronet the Member for Somersetshire (Sir William Miles), that I am as favourable as they can be to the abolition of removal. I must do the hon. Baronet the justice to say that he has been consistent in this matter, for he voted in Committee against the right hon. Gentleman. Now, that is one redeeming feature in his career. Now, what do sincere men say as to the best way of carrying out the object of the Amendment, because I do not deny that it would be an immense advantage to get rid of this system of removal. But this is a question of means, and you must look to what is recommended as a means of carrying the proposed abolition into effect. You must distrust, and I distrust, any gift coming from such a Greek as that. He has been always opposed to abolition, and I have a right to distrust him, suddenly bringing such gifts as these. Sir, I do not believe that you could get this Bill through if you were to carry that Amendment, and that is one reason why I oppose it. I believe it impossible. No notice was given to the public—you have taken them by surprise. [Mr. HENLEY: Hear, hear!] I do not exactly know what that cheer means. It may mean that the right hon. Gentleman is satisfied with the course which he has taken, and that he has proposed this Amendment, knowing pretty well what would happen. But I want to carry this Bill, and I do not want it thrown out, though anybody else may want the Amendment. The hon. Member for the Tower Hamlets (Mr. Ayrton) spoke to-night. I think the hon. Gentleman is right when he declines to vote for anything which is not open, and therefore I hope the House will not trust or fly away to these new authorities upon the subject, who promise such fine things if you only get rid of removal altogether. But I am not at all sure that those are not right who say that it is objectionable to pass all at once, from the present system which has lasted so long — which I will even say has lasted too long—to quite another system. I am not at all sure that they are not right in saying that alarm and perhaps confusion would be created by doing so, and that it is far better to go first through the transition state which is proposed by this Bill. The right hon. Gentleman ought to have explained how what he proposes would work—whether arrangements have been made, and the country has been prepared for it. A man of sense, who was honest in the matter, in proposing the enactment of such a measure, must see that all the arrangements and management must be different. We must have uniformity of management throughout the kingdom. It will not do to pass this Amendment, and tell the world to-morrow morning that you have done away with removal. I am sure that the right hon. Gentleman knows that such a proceeding would lead to confusion, because the systems of management are different in different parts of the United Kingdom—in England, in Scotland, in Ireland, and in the islands which surround us, and abuses would be sure to follow from not having the same system. For instance, I have refused to approve any system which does not treat the Irish pauper in the same manner as the English. But the Irish system is different. No outdoor relief is given in Ireland, but the great majority of the relief given in England is outdoor relief, and the effect of that would be, without removability, to bring a number of paupers into England, which would lead to much abuse. There are whole classes of persons who may be destitute, who might come here and could not be removed, and we should be obliged to support for ever such persons as the sick, the old, and, above all, insane people. You might have lunatics sent over from Ireland and from the Channel Islands. The hon. Member for Lincolnshire laughs at the idea; but he ought to know that that is one of the heaviest charges to which we could be subjected. Under the Amendment proposed lunatics and other persons might be sent here, and you could not remove them or inquire into their circumstances. That would be very tempting to other countries to send their poor here. Have hon. Members opposite considered these matters and considered what would be the effect of this change? Are the workhouses large enough, are the relieving officers numerous enough, for the persons who in some parts of the country might suddenly come for relief? We must make some preparation for such a change of system and total change of principle. Has anything been proposed much more reckless than this Amendment? In other matters the right hon. Gentleman is very careful, and I feel sure that if I had made this proposal he would have been the first man to make the remarks which I am now making. He has said that he will put my sincerity to the test. Well, my sincerity is not at all affected by what he has proposed. I should be glad to see the system of removal abolished, and I propose this measure as an instalment, just as I have brought forward two other measures leading to that abolition; but I wish to give the public the opportunity after it has passed of judging whether that which we wish ultimately to adopt can be safely adopted. I must, therefore, object to this Amendment. I do not believe the country is prepared for it, and I cannot think that it is proposed with that earnestness and sincerity which such a measure involving so considerable a change demands. My hon. Friend (Mr. Kekewich) has upon the paper a notice of a Motion to the effect that paupers who have resided for one year in a place shall be irremovable. That is a greater change than I proposed, and I believe it would be a great improvement. But I ask the Committee to consider that proposal before adopting any greater change — to consider what this measure will be if coupled with the Amendment of my hon. Friend—whether that would not be a great change and improvement, and enough for the present? I think that with the good sense which it always exhibits the House will be of opinion that such a change would be sufficient for the present year.

MR. HENLEY: After the honour which the right hon. Gentleman has done me in going back for eighteen years and tracing my opinions during that time, I hope that the Committee will not grudge me a few minutes. And I wish the Committee and I wish the country to observe this—The right hon. Gentleman has twice said that I propose to give to the country more than he does, and I wish the country to consider it. Twice the right hon. Gentleman has said that what I propose is a good measure and will benefit the poor, but that he will not have it because it is proposed from the other side. Now, as to the details which the right hon. Gentleman has dug up. He said I expressed certain opinions about the removability of Irish paupers in 1846. But what was the state of Ireland in 1846? Eight millions of people were starving and dying by thousands, in spite of all your care and of all the money voted by Parliament. Was that a time to do away with the power of removal from this country? Is there any fairness in bringing forward such a charge? It is perfectly well known that I have been a consistent supporter of the parochial system. But when the House has decided on doing away with the parochial system, what inconsistency is there in my trying, in good faith, to introduce a measure which every authority and every person who has given evidence respecting it says could not be introduced while the parochial system lasted? What does the right hon. Gentleman mean by bringing that forward as an evidence of inconsistency? He says that after this measure has been carried so far by overwhelming majorities, then, without the knowledge of the country, I bring this proposal before the House. Now, can anything be more palpably untrue? I say that such a statement is positively untrue, and the right hon. Gentleman must know it. Immediately after the second reading of the Bill, I put a notice upon the votes that I should propose clauses to do away with removals. What does the right hon. Gentleman mean, then, by saying that I am taking the House by surprise? By no Parliamentary course that I could have taken could I have placed the House in earlier possession of what I proposed doing.

Mr. GILPIN had the greatest possible respect for the right hon. Gentleman, but he rose to order. He said, he thought the right hon. Gentleman ought to be allowed to retract the charge he had made that his right hon. Friend (Mr. Villiers) had stated what was absolutely untrue and what he must have known was untrue.

Mr. HENLEY: If the word "untrue" be unparliamentary, I should be the last person to insist on it. But, when the fact is that after the second reading, but before the recess, I put a public notice upon the votes for the abolition of removals, it is neither just nor accurate to say that I waited until the overwhelming majority of the other night, and now, to the surprise of the whole country, make this proposal. Some allowance must be made for one's feelings under such circumstances. I think that every sort of charge that could possibly be made against me was made by the right hon. Gentleman. But I do not think his language will be forgotten:—"I admit your proposal is for the benefit of the poor and for the advantage of the whole country, but I won't have it, because you have opposed my Bill, and therefore, though I am now trying to make it better, I mean to resist your Amendment." The plain English of the right hon. Gentleman's opposition to the Amendment is because it comes from the opposition side of the House. He admits it to be good, but he will not have it in consequence. It is perfectly true that in 1854 many of us doubted whether this could be done. But has nothing happened in the meantime? First we had irremovability after five years, and we said there was no difficulty in that. That went on for a time, and the five years were reduced to three; and in that change also we found there was no difficulty. Step by step we have made these changes. The right hon. Gentleman says:—"Let us be more cautious, let us wait another year." I say we have had experience enough, and that we may safely abolish the liability to removal altogether, getting rid of that which the right hon. Gentleman himself admits to be a mischievous system. There will never be a more favourable time, for you can hardly expect a time of more general prosperity throughout the country. To frighten us the right hon. Gentleman has conjured up something horrible about lunatics and other people coming over here. Will not all these dangers exist, with only an infinitesimal difference, if the measure abolishes liability to removal after one year's residence? It cannot be argued that there is safety in one year's settlement and danger in abolishing settlement altogether. I am surprised that, instead of discussing this question upon its merits, the right hon. Gentleman should have pointed out what he thinks are inconsistencies in my opinions. I say that I have been always a consistent supporter of the parochial system, and I believe it would have been better for the poor; but, the House having decided to do away with it, I am not inconsistent in trying to render the change as beneficial to the poor as I can, and in doing away with some of the evils which, under the parochial system, could not be altogether got rid of. There is a balance of evils and benefits. We gain on the one hand, and lose on the other. But I have no doubt whatever that, if the large areas are introduced, this system of removal ought to be abolished. Something has been said about vagrancy. Have not people more trust in the working men of this country—men who go about seeking for labour — than to think that they would become vagrants? The vagrant is as different from the working man as chalk from cheese. Their faces, their hands, their appearance generally all tell the tale. Now, so long as the power of removal exists, you will never get rid of the vagrant class, because the parochial authorities are afraid to deal with them. They shove them on from one place to another to get rid of them, because they are afraid of the expense of having to remove them. But if the power of removal was abolished, they would be treated very differently, and the guardians would be able to discriminate between the vagrant and the working man.

Sir RAINALD KNIGHTLEY said, he wished to say a word upon the unfair and unfounded insinuation made by the right hon. Gentleman (Mr. C. P. Villiers) that this Amendment was proposed for the sake of defeating the Bill. Up to this time he had strongly opposed the Bill, believing that it would do great injury to the poor; but he was of opinion that the Amendment would prove such a boon to the poor that if it were carried he should offer no further opposition to the Bill.

Mr. GILPIN said, that having been connected with the Poor Law Board for some years, he hoped the House would give him its attention for a minute or two. He wished to state what he was sure the right hon. Member for Oxfordshire (Mr. Henley) would believe that it was from no want of respect to him, but on the contrary, that he had made the observations he had done. He agreed with the right hon. Gentleman in the regret that he had expressed that there should be any recriminations from one side or the other on a subject of the sort. He wished now to call the attention of the Committee to a fact which he thought had not been noticed. If the Amendment of the right hon. Gentleman were carried there would be some 30,000 to 40,000 people now receiving relief as removable poor out of charity who would become chargeable to the parishes in which they resided. There was no inconsistency in the right hon. Gentleman (Mr. C. P. Villiers) saying that he was in favour of the Amendment, but that he was not in favour of it at that moment. His belief was that the right hon. Gentleman wished to come to that which the right hon. Gentleman opposite (Mr. Henley) had proposed. With regard to the Amendment of the hon. Member for South Devon (Mr. Kekewich), he was prepared to support it.

Question put, "That the words 'When any' stand part of the Clause."

The Committee *divided*:—Ayes 184; Noes 110: Majority 74.

Mr. KEKEWICH moved at end of clause, to add—

> "Provided, That, from and after the twenty-fifth day of March, one thousand eight hundred and sixty-six, the period of one year shall be substituted for that of three years specified in the 1st Section of the Statute 24 & 25 *Vict.* c. 55."

He said he had placed that proviso on the paper because he thought it was in itself a good and just Amendment, and also, because, in his opinion, the change proposed by such a measure should be gradual and not too sudden. Again, he would on no account do anything that could by possibility endanger the Bill, which was, he believed, one of the most valuable Bills ever brought before Parliament. He had been chairman of a very large rural Board of Guardians for more than twenty years, and during the whole of that time he had wished to see the carrying out of that measure, the result of which, they might say, would be to do away with settlement and removal. There seemed to be a general agreement in the Committee, and also in the country, on that question; and after the debate which had just taken place it appeared that there was to be no further opposition to the Bill, which his right hon. Friend (Mr. Villiers) would have the credit of carrying. The measure was one which had been shadowed forth from the moment that the Poor Law Amendment Act was introduced; it was advocated by his excellent friend the late Mr. Charles Buller, by Mr. Baines, and all the best authorities in the country; in his own district he had never heard two opinions on the subject, and all he could now wish was that the Bill might have a safe passage through Parliament. He understood that his proviso would be accepted by the Committee, and he thought it would effect a great improvement in the Bill.

Amendment proposed, at end of Clause 2 to add,

> "Provided, That, from and after the twenty-fifth day of March, one thousand eight hundred and sixty-six, the period of one year shall be substituted for that of three years specified in the 1st Section of the Statute 24 & 25 *Vict.* c. 55."—(*Mr. Kekewich.*)

Mr. LOCKE said, the Select Committee had recommended that in the event of any extension of the area of rating being effected, the necessities of the metropolis should be taken into consideration. He had stated when the Bill was introduced that it would confer no benefit on the metropolis, but would rather entail inconvenience. The metropolitan Members had supported the Bill, and on the last division he had gone into the lobby with the ayes, as he wished to support a measure which was for the good of the country. The Irremovable Poor Act, reducing the period of irremovability from five years to three years, had thrown a greatly increased burden on the poorer parishes of the metropolis ; and if the three years were still further reduced to one, as proposed by that proviso, it was obvious that the injustice done to such poor parishes as St. George the Martyr, Southwark, which had to support the work-people employed in the richer parishes though residing in theirs when they happened to fall into distress, would be infinitely aggravated. Moreover, when the 4,000 poor persons now congregated on the site of the proposed new Law Courts were turned out of their homes, they would have to seek refuge in other districts, and would become chargeable there. It was plain, therefore, that the case of the metropolis required special consideration, and he appealed to the President of the Poor Law Board to pledge himself to bring in at an early period—say, next Session at the latest—a measure to remedy the evils which must fall on the poorer London parishes through the operation of this Bill. That might be accomplished by establishing one rate for the metropolis, and by treating the whole metropolis as one union, as suggested by the hon. Baronet (Sir William Miles). That principle had been sanctioned by the Committee, over which the right hon. Gentleman had presided, and also by the House, and he trusted that the right hon. Gentleman would undertake to give effect to it by legislation. As the wants of the metropolis had been hitherto ignored, it would be but right that it should be excepted from the operation of the proposed proviso.

Lord ROBERT CECIL said, he joined in the appeal made to the right hon. Gentleman by the hon. Member for Southwark ; but thought it would not be necessary to except the metropolis from the proviso, if the right hon. Gentleman would pledge himself next Session to bring in such a Bill as the hon. Member had sketched out, because it was only after the expiration of one year that the effect of the measure would be felt. He thought that if the details of the Bill were interfered with one by one, great injustice would be done to sectional interests. As he understood the Amendment, the one year's irremovability would not affect the metropolis, and therefore it would not be necessary to bring in a Bill to alter the area of charge in the metropolis until next year. Considering the distinct conclusions at which the Committee arrived, he thought the right hon. Gentleman should pledge himself to bring in a Bill next year which would relieve the metropolis and other large towns from the injury which the Bill—on the whole a good one—would inflict in its present shape. Unless the right hon. Gentleman assured them that the measure would not remain permanently on the statute book in its present crude form, he would find difficulty in passing it through the other House of Parliament.

Mr. BRISCOE said, that he supported the Amendment, and believed that the measure altered in that respect would be received with satisfaction as a wise and prudent one throughout the country.

Mr. AYRTON said, he thought the noble Lord opposite (Lord Robert Cecil) had taken the right view, as it would be objectionable to adopt exceptional legislation for the metropolis. But it was necessary that the right hon. Gentleman should give some assurance that he would in a future year take some steps to relieve the poorer parishes from the gross injustice under which they now suffered, and which would be greatly aggravated by the adoption of the Amendment. If there was any sense of justice in the House they would make the metropolis one rating district, if they abolished the law of settlement and removal or reduced the term requisite for rendering a pauper irremovable.

Mr. C. P. VILLIERS said, that he adopted, with great satisfaction, the Amendment proposed by the hon. Member for South Devon (Mr. Kekewich), who was deservedly a great authority on the subject. Considering what it was possible to pass with safety and satisfaction to the rate payers, he thought the proposition of the hon. Member was the very best that could be made. Some experience had been obtained of the results of people coming into the towns and establishing themselves where they were not settled; and it was found that the large majority of the working class who came for the purpose of obtaining work found it, whilst those who did not became destitute and sought relief. But if they took relief at all, it was generally in the first year; and if so fortunate as to get employment in the first year, they were then seldom heard of. He, therefore, thought the experiment of the hon. Member might be tried with perfect safety. There was a general impression that a right to permanent relief should be obtained by domicile or by industrial occupation in the district. He had instituted inquiries as to the practice on the Continent, where, although there were no Poor Laws, there were large funds for the relief of the poor, and he found that the general practice was to regard the right to permanent relief as conferred either by residence or industrial occupation in the district for a given period. He, therefore, thought the Amendment might very readily be assented to. But he did not think that an assent to the Amendment raised the question to which the hon. Member for Southwark (Mr. Locke) had referred. There was, no doubt, a great practical grievance that those parishes were most burdened with poor which were least able to bear the charge. The consequence was that a heavy burden was cast upon the owners of property in the poorer parishes, and that the poor themselves received relief only under the most stringent rules. Great inequality between some wealthy parishes with few poor and poor parishes with many poor should be redressed in some way, and this Bill to a certain extent recognized the principle upon which an Amendment should be based, for it recognized and carried out the principle of an extension of the area of rating. Hon. Members had urged that where a man fell ill there he should be relieved; but at present a man falling ill at St. George's, Hanover Square, was relieved by St. George's-in-the-East. The whole country appeared to be struck with this inequality between the wealthy and the poor parishes; and he (Mr. C. P. Villiers) certainly thought a year could scarcely pass—considering the advanced opinions which had been expressed in the House in the course of the debate—opinions which, three years ago, would have been deemed wild upon the subject—without his hon. Friends obtaining all they wished. In his position he had seen much of the injustice and misery inflicted on the poor, and when he thought it possible to introduce a measure with any chance of success he should be very glad to do it.

Mr. KEKEWICH said, that a report from the Clerk of the City of London Union had first suggested to him the propriety of proposing one year for settlement. He could assure the hon. Gentlemen on the other side that he thought the case of the metropolis so exceptional that when a measure was brought in for extending the area of rating in it, and forming it into one large union, it would have his cordial support.

Mr. WARNER said, he was glad that the right hon. Gentleman (Mr. C. P. Villiers) had accepted the Amendment. Ultimately we must come to the abolition of settlement and removal altogether, and the enlargement of union rating in the metropolis. The Bill would produce a great improvement in the condition of the poor, and would relieve many parishes from unjust burdens which they at present bore. He hoped that they would in time come to a county rating, and perhaps to some national provision for the poor.

Lord FERMOY said, there was no argument in favour of a general rate throughout the metropolis which did not apply equally to a general rate all over the country. He wished it, however, to be distinctly understood that the great majority of the metropolis did not share in the feelings of Southwark and the Tower Hamlets as represented by their Members (Mr. Locke and Mr. Ayrton).

Mr. LOCKE said, he thought the noble Lord had forgotten all the evidence and arguments which were adduced before the Committee on Metropolitan Rating. The Resolution of the Committee was unanimously agreed to, and not a witness from Marylebone appeared—the noble Lord not excepted — before them against it. No question of national rating was ever entertained—the subject considered was merely a rate for the whole metropolis. He regretted that the noble Lord now expressed his disapproval of that Resolution.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 3 *agreed to.*

Mr. C. P. VILLIERS moved the following clauses to follow Clause 3:—

Clause A. (Signature and service of Notices and other Documents.)

"Every notice, statement, demand, or other document, required to be given by any such guardians, in respect of any order of removal, shall be deemed to be sufficiently authenticated if signed by their clerk in their name, and shall be deemed to be duly served upon the guardians to whom it shall be addressed if it be delivered to their clerk personally, or be left at his office, or be sent through the post, addressed to him at such office."

Clause B. (Guardians empowered to call for books and papers from the overseers.)

"For better enabling the guardians to obtain such orders of removal, or to appeal against the same, they may order the overseers of the poor, or any officer, or other person having the custody of any books, papers, documents, or writings, of or belonging to any parish in their union, to produce the same upon reasonable notice to the board of guardians, or to their clerk, or other person appointed by them, and shall allow copies or extracts to be taken therefrom, for the use of such guardians, without fee or reward."

Clauses *agreed to* and added to the Bill.

Clause 4 *agreed to.*

Clause 5 (Paupers removing after Order of Removal punishable as Vagrants).

SIR BALDWIN LEIGHTON said, he thought the clause might be omitted, as there was no Board of Guardians but would refuse outdoor relief to those returning after removal, except under exceptional circumstances.

MR. C. P. VILLIERS said, the clause was simply a repetition of the law as it existed, and he thought it was advisable to maintain the check.

Clause *agreed to.*

Clause 6 *agreed to.*

VISCOUNT ENFIELD moved the following clause to follow Clause 6:—

(Provision for deaths in the workhouse.—And for registration fees.—(See 7 & 8 *Vict.* c. 101, s. 56.)

"For the purposes of the burial of any poor person dying in the workhouse of any union, such workhouse shall be considered as situated in the parish in the union where such poor person resided last, previously to his removal to the workhouse; and all fees for registering births and deaths in the same shall be charged by the guardians to the common fund."

Clause *agreed to* and added to the Bill.

Clause 7 *agreed to.*

Clause 8 (Computation of the Charges on the Common Fund).

MR. C. P. VILLIERS moved in line 3, after "contributions," to insert "to the common fund."

Clause, as amended, *agreed to.*

Clause 9 *agreed to.*

VISCOUNT ENFIELD moved the following clause to follow Clause 9:—

(Unions under Local Acts enabled to avail themselves of this Act.)

"If, in any union or incorporation for the relief of the poor, where the cost thereof is not borne by a common fund, the body having under the constitution of such union or incorporation the management of such relief, shall be desirous of adopting the provisions of this Act, such body may, on a resolution to that effect of a majority at two successive meetings, by writing under the hands of the presiding chairman of the second of such meetings, apply to the Poor Law Board to be included in this Act; and upon the consent of that board being given under its seal to such application, such union or incorporation shall be so included from such time as the said board shall declare; and such consent so signified shall be evidence that such application was in all respects duly made according to the provisions above mentioned."

SIR BALDWIN LEIGHTON said, he thought the clause ought to be made compulsory.

MR. C. P. VILLIERS said, these local corporations, under their own Acts, were peculiarly jealous of their own privileges, and a number of them had applied to be excluded from the Act. In the face of the strong feeling against the centralization, he did not think they could make the clause compulsory.

Clause *agreed to* and added to the Bill.

Clause 10 (Interpretation Clause.)

MR. C. P. VILLIERS moved at end of clause to add—

"and the provisions in such Act which apply to poor persons rendered chargeable upon the common fund by reason of their having become irremovable through the operation of the statutes in that behalf, shall apply to all the poor in the union hereby rendered chargeable upon the common fund."

Clause, as amended, *agreed to.*

EARL GROSVENOR said, that he moved the addition of the following clause at the request of his constituents:—

"When this Act has been adopted by any such Union or Incorporation as aforesaid, and such Adoption has been legally brought into operation in such Union or Incorporation, the Body having the Management of the Relief of the Poor therein shall from Time to Time make Calls in advance for Money for the Relief of such Poor upon the Overseers of the several Parishes therein respectively, on the Basis of an equal Pound Rate on the annual Value of the Property in each Parish rateable to the Relief of the Poor according to the Law in force for the Time being, and shall have the same Powers of enforcing such Calls as they now possess under the Provisions of such Local Act for enforcing Calls or Rates for the Relief of the Poor; and such Overseers shall have the same Powers for making, levying, and enforcing Rates to meet and pay such Calls as they now possess, either under the Provisions of such Local Act or the General Law relating to the making, levying, and enforcing Rates for the Relief of the Poor."

Clause *agreed to.*

Mr. LIDDELL said, he wished to give notice that on the bringing up of the Report he should move a clause to the effect that persons over seventy should have the option of receiving outdoor relief; and he should also on that occasion take the sense of the House upon the justice of the Bill itself.

Mr. CAVE, who had placed an Amendment on the paper for the insertion of a clause including mines in rateable property, said that the clause had, since he had placed it upon the paper, attracted great attention in those parts of the country most interested. The present state of things was extremely vague and anomalous. Coal was the only mining produce which was liable to the poor rates, and even stone and clay, when raised to the surface by means of shafts and windlasses, were exempt from rating, though if they were taken from quarries, no matter how deep, they were subject to the rating. No one had defended the present plan, and there was no reason whatever why all mines should not be rated. Metalliferous mines undoubtedly, though frequently more profitable, were more irregular in their returns than coal mines, but that very irregularity was an argument in favour of their being rated, because when the profits were small the wages of the men were reduced and the amount of pauperism, consequently, increased. There might be some slight difficulty as to the details, but the mode of rating would be decided by the tribunals of the country, as it had been in the case of coal. He understood that he was not in order in proposing the insertion of the clause, but he wished to take the opinion of the Chairman upon the subject. He might add that, if he were not allowed to introduce it, he should consider it his duty to bring in a Bill at some future time for the purpose of effecting the object which he had in view. He had already on a former occasion explained this subject, and would not now detain the House. He should, therefore, *pro formâ*, move the insertion of the following clause:—

"Whereas by the Act 43 Elizabeth, chapter 2, section 1, coal mines are made liable to poor rates: Be it Enacted That from and after the passing of this Act all other mines of every description shall in like manner be rateable to the relief of the poor."

The CHAIRMAN said, that the clause moved by the hon. Member had no relation to the subject of the Bill, and could not, therefore, be inserted.

Sir BALDWIN LEIGHTON moved the addition of the following clause:—

"And be it enacted, that when an appeal is brought against the poor rate of any parish, which may appear to involve some common principle, it shall be lawful for the Board of Guardians or overseers, or other authorities, where there shall be no Board of Guardians who may be interested in the decision of such common principle, to enter into an agreement, to be approved of by the Poor Law Board, mutually to bear the cost which may be properly incurred in and about the trial of such appeal on the part of the respondents, as well as costs of the appellants, if any, which may be awarded against the respondents, in such proportions as shall be fixed and determined with reference to the amount of interest of the several parishes in the question, or otherwise, as shall appear just; and the said agreement shall continue binding upon the several boards of guardians, overseers, or other authorities in succession, until the appeal shall have been finally determined."

Mr. C. P. VILLIERS said, the clause was not within the scope of the Bill. It belonged more properly to the Union Assessment Act. It was, however, his intention to bring in a Bill for the renewal of the Poor Law Commission; and in which Bill several amendments of the law would be proposed. He had no objection to the amendments embodied in the proposed clause, but he thought they might be more properly introduced into the Bill he had referred to.

Clause *negatived.*

Sir JOHN JOHNSTONE moved the following clause:—

(Increase in liability caused by this Act to be made gradually.)

"With respect to every parish in every such Union there shall be calculated for the year commencing the twenty-sixth day of March, one thousand eight hundred and sixty-six, the amount for which every such parish would have been liable if all the cost for the relief of the poor in the Union had been charged on the common fund:

"There shall also be calculated the amount for which every such parish would have been liable if this Act had not passed:

"The difference between the former and latter sum shall be ascertained:

"In every parish where the former sum is larger than the latter the amount for which such parish shall be liable, for the year commencing the twenty-sixth day of March, one thousand eight hundred and sixty-six, shall be the latter sum, together with one-fifth of the said difference:

"In every parish where the former sum is less than the latter, the amount for which such parish shall be liable for the year commencing the twenty-sixth day of March, one thousand eight hundred and sixty-six, shall be the latter sum, after deducting therefrom one-fifth of the said difference;

"In the years commencing the twenty-sixth day of March, one thousand eight hundred and sixty-seven, one thousand eight hundred and sixty-eight, and one thousand eight hundred and sixty-nine, the amount for which every parish shall be liable, shall be calculated in like manner, after adding or subtracting, as the case may be, two-fifths, three-fifths, and four-fifths of such difference respectively; and for the year commencing the twenty-sixth day of March, one thousand eight hundred and seventy, and all subsequent years, the whole cost of the relief to the poor in every such Union shall be charged upon the common fund."

He said there were very many unions where great agricultural districts were joined with large towns, and where the immediate adoption of the provisions of the Bill would entail a large and sudden increase in liability. His object was, if possible, to bring the Bill into operation by instalments, as it were, without compelling unions at once to adopt the whole. The Bill would cause a considerable displacement in the value of property. The proposal he made was, he thought, calculated to ease the action of the measure without affecting its ultimate objects. The period he had fixed upon within which the Bill should be brought into operation was five years, but he should not object to three years, if the right hon. Gentleman preferred that. He thought a little time ought to be given to enable landlords to make fresh agreements with their tenants where, in many instances, the rates would be doubled. What he intended to effect might be illustrated in this way. If there were two parishes forming a union, one of them having a rate of £20, and the other of £40, the new union rating would be £30. Now, instead of at once raising the rate from £20 to £30, he would raise it £2 a year for five years. He thought that in parishes where the rate was to be raised the parishioners would rather receive the alteration in homœopathic doses than all at once. He had presented a petition from his own union (Scarborough) against certain parts of the Bill, but the town he represented was in its favour, and would gain £1,100 or £1,200 a year by it. He had no private interest to serve in this matter. Every labourer on his estate might have a cottage if he chose; if he did not it was his own fault; but there were a great many parishes in his union where the rates would be doubled, and he only asked that a little time should be allowed to smooth the passage of the Bill through the House, and prepare the unions for its reception.

Clause (Increase in liability caused by this Act to be made gradually,)—(*Sir John Johnstone,*) *brought up,* and read 1°.

Mr. C. P. VILLIERS said, he had understood that the hon. Baronet would not propose his clause on the present occasion, but would bring it up upon the Report. He (Mr. C. P. Villiers) had given the clause every consideration, but he was not prepared to adopt it. Several other Members had proposed clauses of the same kind, but had withdrawn them owing to the complication which must arise from the postponement of the measure so long. The clause also had this peculiarity, that it did not admit of the full advantage being given to the poor for five years. His hon. Friend had not stated a very strong case. His own union, that of Scarborough, he said, was anxious for the measure; but he doubted if there were many unions where the increased value of land was so enormous as in that neighbourhood, and where it was still increasing so fast. Scarborough was rapidly becoming one of the most important places in the East Riding of Yorkshire, and he found upon inquiry that if the ratio of all the unions in that district were equalized they would only amount to 1*s.* in the pound. In consequence of the prosperity of the town the value of property in the neighbourhood was greatly on the increase, and therefore it would be well able to bear the additional amount of taxation. He could not accede to the insertion of the proposed clause, as it would lead to an enormous amount of trouble, without effecting much real good.

Mr. HUBBARD said, he objected to the right hon. Gentleman treating this clause as though it particularly referred to Scarborough. There would be many cases of hardship occur under the Bill; such, for instance, as that of a man who had just taken a lease of a farm with low poor rate; for he would find his liability largely and suddenly increased by it. The hon. Baronet had proposed his Amendment with reference to the general interest, and not that of Scarborough only. He believed the small landowners and tenant-farmers would suffer severely through the operation of the Bill, yet he thought it would be scarcely worth while to press this clause upon the House.

Lord GEORGE CAVENDISH said, that the burden created by this Bill would not fall upon the large landowners, who would gain in one parish what they lost in another, but upon the small landowners and farmers; and he thought that the matter would be very much eased if the change were made gradual, and extended over several years. He would prefer seeing the clause inserted, but would be sorry to endanger the safety of the Bill by pressing it.

Clause read 1°.

Question put, "That the Clause be read a second time."

The Committee *divided:*—Ayes 14; Noes 73: Majority 59.

Preamble—

MR. HUBBARD said, that he had intended to move the following clause:—

(Assessment of all woodlands.)

"And whereas by the Act forty-three Elizabeth, chapter two, section one, it is provided that underwood be liable to assessment for the relief of the poor; Be it enacted, That all woodlands be hereafter liable to assessment upon the average net annual value thereof."

But as it was of a cognate character with that of the hon. Member for Worcestershire (Mr. Knight), he should not move it. He understood that the President of the Poor Law Board had given a promise that he would next Session bring in a Rating Bill; he (Mr. Hubbard) would then move for the insertion of clauses for rating stock-in-trade, and for abolishing the exemptions which created so much difficulty.

SIR JOHN JOHNSTONE said, that he had not called for a division upon the clause which he proposed, because his right hon. Friend (Mr. Villiers) was under a misapprehension that he intended to bring it up on the Report.

MR. HENLEY said, he thought it doubtful whether a taxing clause, such as was proposed by the hon. Baronet, could be brought up on the Report. It was not worth while to move any Amendment upon the Preamble; but he thought that it would have been nearer the truth if the Bill, instead of being described as "for the better distribution of the charge for the relief of the poor," had been stated to be "for the relief of certain towns returning Members to Parliament from their fair share of the burdens of the country."

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next, and to be *printed.* [Bill 155.]

PARTNERSHIP AMENDMENT BILL.

[BILL 52.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (The Advance of Money on Contract to receive a Share of Profits or to share the Loss not to constitute the Lender a Partner).

MR. HUBBARD said, he wished to ask how far the lender of a sum of money under its operation would be enabled to satisfy himself, in the event of the business of his debtor showing a loss, as to the actual position of affairs. Would he be entitled to take part in the examination of the debtor's books, or otherwise interfere in the business, as if so he would be a partner.

MR. MILNER GIBSON said, that the clause would leave the law precisely as it stood, except in so far as it would enable a person to lend money to a trader on the understanding that he was to receive a share of the profits, instead of a fixed interest, without by that Act constituting himself a partner. If he were to do anything else which would subject him to the liability of a partner, he might be dealt with as at present.

MR. MOOR moved in line 8, after "contract," to insert "in writing."

Amendment *agreed to.*

MR. MURRAY said, it appeared to him that when a debtor was likely to come to grief the lender might get his money out of the concern without the knowledge of the creditors. The terms of the contract should, therefore, be known to the creditors. They should know the nature of the advance and how it is to be repaid. If it could be repaid without the public knowing anything about it, the debtor might repay it on the eve of bankruptcy, and have the money subsequently relent to him, but the creditors would not be paid. There should be a provision that, if insolvency existed at the time of repayment, the lender should be liable to his share of the loss. He suggested that a memorandum in writing of the contract should be filed in the registrar's office for the information of the public.

MR. CAVE remarked that the very same objection would apply in the case of a lender who advanced his money at a fixed rate of interest. He would be able to withdraw it at any moment he pleased, as well as the man who received by way of interest a share of the profits of a business; and there was no reason why the results should be more disastrous in one case than in the other.

Mr. THOMAS BARING said, that there was nothing in the clause to show that the lender under its operation was to bear any share of the loss which might accrue in carrying on the business of the borrower. If he were not liable to any loss, was it not clear that he would stand in the position of a preference claimant?

Mr. MILNER GIBSON said, the clause merely enacted that the lender of money upon the terms that the lender should receive for the use of the money a rate of interest fluctuating with the profits should be no more constituted a partner by the Act than if the money were advanced at a fixed rate, and therefore the question raised was not appropriate to the particular matter before the Committee.

Mr. HENLEY said, he did not see the force of the objection which had been raised by his hon. Friend the Member for Newcastle-under-Lyme. There was, he thought, no difference between the withdrawal of money lent on the condition of receiving a share of profits and that lent at a fixed rate of interest, so far as the general creditor was concerned. There might be fraud connected with the withdrawal in both cases, but then he apprehended the law as it stood would reach a transaction of that kind.

Mr. HUBBARD said, he thought no commercial man could pass the clause as it stood. If the lender was not to bear a proportion of the loss when it occurred, was it to be charged in the following year against his share of the profits?

Mr. MILNER GIBSON said, no compulsory contract was forced upon any one by the clause. It merely stated that if a person made a certain contract he should not thereby be constituted a partner.

Mr. BOVILL said, he challenged any Member of the Government to deny that under the wording of the clause cases similar to that which occurred at Liverpool might not happen every day. A man lending £50,000 might draw out of the profits of the concern £100,000, assuming that so much was made in the course of a single year, and after that might draw out his £50,000; and yet in the next year, if it happened to be a season of loss, he would be absolved from any liability whatever.

The SOLICITOR GENERAL said, the Bill did not absolve anybody. The Bill simply enabled a man, instead of lending money at a fixed rate of interest, to take a certain share of profits without becoming a partner. If no profits were made he did not receive anything, and to that extent encroached less on the general fund available for creditors than if he took a fixed rate of interest.

Mr. HORSFALL admitted that the clause did put the lender in a somewhat advantageous position, but suggested as a safeguard that some limit — say twelve months — might be fixed within which money drawn out should still be liable to the debts in case of bankruptcy before that period had expired.

Clause, as amended, *agreed to.*

Clause 2 *postponed* until after Clause 3.

Clause 3 *agreed to.*

Clause 2 (Lender not to rank with other Creditors in case of Insolvency).

Mr. MOOR said, he moved to leave out Clause 2. In doing so he felt that he was not opposing, but forwarding, the principle of the Bill, Clause 2 being inconsistent with its immediate predecessor. The Bill was brought in to do away with an old principle, and introduce a new and different principle, and it was rather strange that a clause inflicting a penalty should be inserted in order to restrain that new principle. The object of the Bill was to encourage loans of money to traders, but by this second clause the lender was subjected to this penalty, that he should not be repaid his loan in case the trader became bankrupt, until all the other creditors were first satisfied. What did that amount to? Why, to an absolute prohibition. For in ninety-nine cases out of 100 a trader failed to pay 20*s.* in the pound. He put it to the common sense of the President of the Board of Trade whether any person would lend money on such conditions, when by lending upon a promissory note or bill of exchange he could get 30, 40, or 50 per cent interest, and if the worst came to the worst still be able to go in and prove his debts, and receive an equal dividend with all the other creditors. Under the existing law any partner to whom money was owing by a co-partner could not go in and prove his debt against the estate till all the rest of the creditors were paid. But this Bill, after providing by the first clause that the lending of money should not constitute a partner, actually fixed the lender with penalties similar to those that the existing law attached to the position of a partner. The Committee could not blow hot and cold with the same breath; the principle of the Bill was either right, or it was wrong. If the right hon. Gentleman divided in support of this second clause he would find himself in the lobby with all the Gentlemen who disapproved the principle of the Bill, and who would gladly help him to strangle his own child. He would take the sense of the Committee upon the clause.

Amendment proposed, "To leave out Clause 2."—(*Mr. Moor.*)

THE ATTORNEY GENERAL said, the question raised must be considered with regard to the principle involved, and also with regard to the practical operation of that principle. With regard to the principle, the strongest argument in favour of the present state of the law was that a man might, under a change of the law, carry on a business which was not substantially his own without incurring the risks of that business. This Bill did not in any way interfere with the liability of the person carrying on a trade. But it could not be denied that the ordinary creditor would be inevitably influenced by the capital visibly employed in the trade, by the stock-in-trade, and by the means which the trader was able to present to the world as the foundation of his undertaking. Credit was, therefore, given to the trader on account of his visible means or stock-in-trade. But, supposing the person who took no share of the risk furnished all the means, then the whole resources of the undertaking would be derived from the loan so made, and there could be no doubt that there might be some risk of injury if the creditor who went in for an unlimited share of the profits were able to go in also for a share in the assets of the business to which the credit might have been given. The person who advanced the money had sent the trader into the world with the appearance of solvency, and the stock-in-trade ought, therefore, in the first instance, to be subject to the ordinary creditors. It had been suggested that by possibility the real trader might not hold out his name to the world, that he might furnish all the means and stipulate for the whole of the profits, and in that way avoid running any risk. This clause was intended to supply a practical security against any evasion of the law of that description. It might be objected that the lender could withdraw the amount of his advances before the other creditors got possession of the bankrupt's property, but in such a case an investigation could take place to ascertain whether there had been a fraudulent preference, and if so it could be dealt with by the existing law. What was proposed by the hon. Member for Brighton (Mr. Moor) would enable the person who might be the real trader to come in at the last moment and sweep away the ostensible means of business *pari passu* with the other creditors, or perhaps in preference to them. It might be said that the possibility was left open of practically doing the same thing by means of loans at an exorbitant interest. That was an objection which deserved to be carefully considered. His own opinion would be by no means unfavourable to the drawing of a line, if it could be done, beyond which it should be determined that a high rate of interest was a mere cover, and of placing such persons in the same situation as the lender who contracted for a share of the profits. But they had better do one thing at a time. They were dealing now with an important branch of the law of partnership, and he believed the proposed change would be a great boon to the trader. Let them do what they could at present, and under such safeguards as they believed to be desirable and good, and if found to work well it might afterwards be considered whether there were not other cases to which it might be expedient that the same rule should be extended. But there was an important practical distinction between the cases. If the person carrying on trade borrowed money at an exorbitant interest he made himself liable to pay both that interest and the capital, whether the business was prosperous or the reverse. That person would see, therefore, that it was very much to his advantage to procure money on the terms of sharing in the profits, and it might be also to the advantage of the lender to lend upon such terms. The clause would in reality act as a check on the formation of a fraudulent undertaking between the trader and the partner who advanced him money on the condition of participating in the profits of the business. The partner enjoyed the benefit of the business if it was prosperous; and if it was not prosperous he ought to share to the limited extent to which he had embarked capital in it, in the loss which it entailed. He was of opinion, then, that they would be proceeding safely and cautiously and taking good securities against abuse if they were to adopt this clause.

Mr. HENLEY said, he was not convinced by the arguments of the hon. and learned Gentleman. It was clear that the Government were afraid of their own measure, for if this clause were agreed to it would substantially defeat it. He had voted for the second reading, because to lend money in the way proposed by the Bill was a fair legal transaction. But he did not see why they should put a penalty on that which they said was a loan. If the Attorney General's argument was sound, he doubted whether the Bill was sound.

The ATTORNEY GENERAL said, that if a man lent money at the ordinary rate of interest he could not be said to be investing it in the business, because he left all the benefit as well as all the risk to the man who was carrying on the trade.

Mr. HENLEY said, that everybody knew that the mercantile rate of interest was not 4 per cent as for money lent on mortgage. What was the ordinary rate of interest?

Mr. HUBBARD said, that of the two arguments, that of the hon. Member for Brighton (Mr. Moor) appeared to him more consistent. If the lender had nothing to do with the loss while the trader lived, why should he be saddled with the loss when the trader died? He agreed with the Attorney General that it might become necessary to bring in a Bill to put some check on the rate of interest in certain transactions. Hon. Members talked of the ordinary rate of interest, but since the repeal of the Usury Laws the interest of money had varied from 1½ to 10 per cent within a few years. There was now no such thing as a legal rate of interest. From all that he had heard he was more than ever convinced of the impolicy of the measure. He would not vote for the expurgation of the clause.

Mr. Alderman SALOMONS said, that the hon. Member (Mr. Hubbard) stated that there was now no such thing as legal interest. He should have said that there was no such thing as illegal interest.

Question, That the Clause stand part of the Bill, put, and *agreed to.*

Remaining clauses *agreed to.*

Mr. MILNER GIBSON moved the following clause:—

(Receipt of profits in consideration of sale of good-will not to make the seller a partner.)

"No person receiving by way of annuity or otherwise a portion of the profits of any business, in consideration of the sale by him of the good-will of such business, shall, by reason only of such receipt, be deemed to be a partner of or be subject to the liabilities incurred by the person carrying on such business."

Clause *agreed to,* and added to the Bill.

Mr. JOHN PEEL said, that as the hon. and learned Gentleman (Mr. Selwyn) had placed upon the paper a new clause on registration he would not press that of which he had given notice, but would accept the clause of the hon. and learned Member, with the addition of a few words which he would propose.

Mr. HORSFALL said, that there was a great difference between the two clauses, and he much preferred that of the hon. Member for Tamworth (Mr. John Peel).

Mr. SELWYN said, he wished to move the following clause:—

(Register to be kept by Joint Stock Companies.)

"A register shall be kept by the Registrar of Joint Stock Companies in which shall be entered the name of every person or partnership contracting any loan under the provisions of this Act, and this Act shall not apply to any person entitled to participate in the profits of any trade or undertaking unless the same shall be carried on under a name or firm concluding with the word "registered," and by some person or persons whose name or names, or whose style or firm, shall be entered in the said register."

The clause was similar in principle to one which was carried in Committee last year, and added to the Bill. He did not dispute that limited liability had met with large success, and had made much progress; but the House ought also to remember the very large losses which had been occasioned by it, and the amount of litigation to which it had given rise. No doubt it had been extensively adopted by the mercantile world, but experience had shown the wisdom of Parliament in the safeguards it had provided, and especially in compelling companies to use the word "limited" in their titles. The principle of the clause he now proposed was exactly the same. As the Attorney General said, when a similar clause was proposed last year, persons who were endowed with these new privileges ought to go into the world avowedly as they were. The present Bill made a great innovation, and extended the principle of limited liability one step lower down. He trusted, therefore, that the House would proceed with the same caution that had guided its footsteps before. The hon. Member for Bridport had on a former occasion put before the House what was called the sentimental view of the subject. He had imagined the case of a young man of industry and ability, but lacking means, and he said it was very hard that a capitalist could not lend this young man money with which to carry on his business without making himself liable for his last acre and his last shilling. The House might assume that the capitalist, like most others of his class, would take care of himself. He might stipulate for 19-20ths of the profits, and the interesting youth would get the rest. That being so, the latter would carry on business upon a different basis from that of his neighbours, and in all probability would be more speculative, because he had so little to lose. At the same time he would gain credit by the regularity of his payments, and by his apparent command of capital. Ought not the public to have some safeguards in order that they might know the actual state of things? Of course, all would be well so long as the business prospered, but when the crash came, and the young man went into the *Gazette*, the 19-20ths of past profits would be beyond the reach of creditors, the capital would be proved to have belonged to others, and the creditors would receive 6*d.* in the pound, while the remaining 19*s.* 6*d.* would be added to the list of bad debts. Thus, the tendency of the Bill would be to increase throughout the country the aggregate of bad debts, which was already very large, which had increased considerably under the influence of recent legislation, and was a heavy burden not only upon creditors but upon the whole community. It was not too much to say that the price of every article of consumption, of everything we ate, drank, or wore, was considerably enhanced by what was termed the allowance for bad debts, and that the aggregate amount was equal to that of any tax imposed for the benefit of the Imperial Exchequer. This Bill would give facilities to capitalists for increasing the amount of bad debts throughout the country unless some safeguard were introduced for the protection of the public. The clause he proposed was in no way inquisitorial; it did not require the name of the lender, nor the amount or terms of the loan to be stated, but simply required that the fact that a person was carrying on business on this system, different from that of his neighbours, should be made known by the addition of the word "registered" to the style of his firm. It was said that this requirement would cast a stigma upon the firm, but in what did the stigma consist? There was no greater stigma than in the use of the word "limited" in the case of a limited liability company. If the stigma consisted in the term, he was not wedded to the word "registered." He had selected it because it was short, and because it would be true; but if the hon. Member who objected to it would suggest any other word or sign, or anything else which would serve the same purpose, he should be content. If, on the other hand, the stigma consisted in the publication of the true state of things, the objection to registration involved the admission that credit was to be obtained by a concealment of the truth. He had been very careful that his proposition should not involve anything unnecessarily minute or vexatious. The sole object was to put the public on their guard, and if after due warning, they did not take proper precautions, then any loss they suffered would be through their own neglect. He contended that the clause was quite consistent with the principle of truth, honesty, and fair dealing.

Clause (Register to be kept by Joint Stock Companies,) — (*Mr. Selwyn,*) — *brought up*, and read 1°.

Question proposed, "That the Clause be now read 2°."

Mr. CAVE said, that the case of a "limited" company was quite different from that of a firm availing itself of this Bill. In one case the partners were not liable to the whole extent of their fortunes, and it was absolutely necessary that this fact should be known to the world, otherwise the public would manifestly be liable to deception. But here the persons who appeared before the world were liable to their last penny. Why, then, should the word "registered" be put after their names? Such a mark, if it had any effect at all, would really show the public that they had a better security than they would otherwise suppose, and it would tempt them to give greater credit than before, because they would then know that they not only had the security of the partners whose names appeared, but the money of certain unknown capitalists besides.

Mr. THOMAS BARING said, that if this word was not a stigma, and was likely to give the firm a standing with the public, there could surely be no objection to the use of it, inasmuch as it would do the firm no harm and supplied information which the public ought to know. These persons, though called lenders, were really traders; yet, while they shared the profits, they might guard themselves against a share of the loss. It was only fair to the public, then, that they should be apprized when any firm was profiting by the provisions of this Bill.

Sir FRANCIS CROSSLEY said, he could not understand why registration should be required in the case of money lent at a variable rate of interest any more than when money was lent at a fixed rate. The House should take it for granted that people could conduct their own affairs and would not trust others foolishly. The hon. and learned Gentleman (Mr. Selwyn) said that a person lending money might take almost all the profit of the business, but it was not likely that a man working a concern and exerting all his ingenuity in carrying on the business would allow nearly all the profits to be carried off by another. But whatever the arrangement might be, it was entirely matter of bargain between the borrower and lender, and he did not think that the use of the word "registered" was at all necessary. He agreed with the hon. Member (Mr. Cave) that this was an entirely different case from that of a limited liability company.

Mr. MILNER GIBSON said, he thought that the proposed clause, if added to the Bill, would prevent it from being of any use. In looking back to past times they found that there had been constant difficulty about letting people make contracts with respect to money, and it was only after a great struggle that the Usury Laws were repealed and persons were permitted to contract for loans of money at any rate of interest they might think fit. The present measure was a sort of supplement to the repeal of the Usury Laws. It was now said that if persons in trade borrowed money at a fluctuating rate of interest they ought to be registered. He could not agree with that proposition; and, indeed, he regarded it as opening a door to fraud, for a man might get a credit which he would otherwise obtain by writing in a book in a public office that some person had lent him £10,000 or £12,000. There was no provision in the clause against a fraudulent entry. No man was obliged to give another credit, and if the people were asked to supply an individual with goods or to lend him money, it was their business to see that he was a person who could be relied on. He did not see that where there was no limitation of liability, and when a man was responsible to his last shilling, which was the position of the person to whom credit was given, they should require this registration. Seeing that all the members of great joint-stock associations possessed the advantage of limited liability, he thought that in justice the House should remove every obstacle now standing in the way of the operations of private traders.

Mr. HEYGATE said, he had received several letters, including one from the Chamber of Commerce at Leicester, requesting him to oppose the Bill unless a provision similar to that proposed were inserted.

Mr. WEGUELIN said, the question had been argued as if the person carrying on business was bound to carry on the business in his own name. That was not implied in the Bill. It seemed to him that it would be quite possible, as the Bill now stood, for a member of a well-established firm to retire, and for the remaining partners to carry on the business with his credit. If he left any money in the firm he would be liable to a certain extent only, though the concern would benefit by his name. Again, it appeared to him that it would be competent for any large capitalist to retire from his business, and put in his place some one of comparatively limited means, and the person carrying on the business would thus have the advantage of the names of the established firm. It was for this reason that he thought registration desirable, as it would be the means of directing the attention of the commercial world to the exact position of the firm.

The ATTORNEY GENERAL said, that if any person held himself out to the world as a partner, he would be liable under this Bill just as much as he was under the present state of the law. He must disclaim the interpretation which had been put upon his former arguments by his hon. and learned Friend the Member for the University of Cambridge (Mr. Selwyn). What he had expressed last year and what he still adhered to, was the opinion that it was proper a partnership should appear to the world to be what it really was. Speaking of the Bill brought forward last Session by the hon. Member for Birmingham (Mr. Scholefield), he had said that if they created a new description of partnership, having in it some members with limited liability, and some without it, it was right that that new description of partnership should be advertised to the world as what it was—a partnership of a peculiar kind newly constituted under a particular law. But the present Bill proceeded on a better principle than the measure of last year, making a man no longer a partner merely because he lent a sum of money to a trading concern. His hon. and learned Friend's Amendment was absolutely needless as applied to the Bill as it stood. The Bill as it stood provided that persons who were not known to the public, and to whom credit was not given, should nevertheless risk all the money they embarked in the concern, and therefore the public would get the benefit of that. He did not see that the Amendment would do any good. To be good for anything it ought to be carried much further than it was.

MR. C. TURNER said, that a man who lent money on condition of receiving a share of the profits was really and practically a partner. He was a partner as far as regarded the profits; the only thing was that the Bill would relieve him from the position of a partner as far as regarded the losses. The President of the Board of Trade said there was no difference between a person who lent money for a rate of interest and one who lent money for a share of the profits; but in practice there was a great distinction between them, and it seemed to him that parties who objected in these cases to the word "registered" must be ashamed of the real nature of their transactions. If they meant fairly by the public, and did not intend to deceive it, he could not see why they should have any aversion to that word; and he should therefore cordially support the Amendment.

MR. BOVILL said, that a division took place in the House last year on the very point they were now discussing, when the Attorney General supported a clause to the same effect as that of his hon. and learned Friend the Member for the University of Cambridge (Mr. Selwyn). The House then affirmed the principle of registration, and thereupon the Bill was abandoned. The Attorney General suggested last year, that those who carried on business in a way different from the ordinary way, ought to be held out to the public as carrying on business in that different way.

Question put, "That the Clause be read a second time."

The Committee *divided:* — Ayes 65; Noes 105: Majority 40.

MR. HORSFALL moved the following Clause: —

(Registration of lenders and borrowers.)

"The names, addresses, and descriptions of the lender and borrower, the amount of the loan, the time of repayment, and the proportion of profits to be paid on the loan, shall be registered at the office for the registration of Joint Stock Companies; and any variation in the amount of the loan, or in the proportion of profit payable upon it, or any extension of time for repayment, shall also be registered in like manner."

He said it was the clause of which the hon. Member for Tamworth (Mr. John Peel) had given notice, and it differed in one important respect from that which had just been negatived by the Committee.

Clause (Registration of lenders and borrowers,)—(*Mr. Horsfall,*) — *brought up,* and read 1°.

MR. DENMAN said, that as a point of order, he put it to the Chairman whether the clause was not in principle the same as that which had just been disposed of.

THE CHAIRMAN said, the clause of which the hon. Member for Tamworth (Mr. John Peel) had given notice was not moved by him, and therefore it was competent to any hon. Member to move it; but seeing that the clause so closely resembled that which had just been disposed of, he did not think it was competent for the hon. Member (Mr. Horsfall) to propose it.

MR. BOVILL said, the two clauses could not be identical in principle, because the hon. Member for Liverpool (Mr. Horsfall) who proposed this clause, had voted against the clause of the hon. and learned Member for Cambridge University (Mr. Selwyn).

MR. ROEBUCK said, the clause last disposed of contained two propositions. The combination might be objectionable, while one proposition by itself might be worthy of approval. For himself he opposed both clauses, but, as a matter of fairness, he thought this clause ought to be put.

THE CHAIRMAN said, if the Committee desired to divide, the Clause should be put.

Question put, "That the Clause be read a second time."

The Committee *divided:* — Ayes 59; Noes 101: Majority 42.

MR. BOVILL said, he wished to move a clause of which he had not given notice, to the following effect:—That persons who had taken profits, and who had contributed the capital upon which credit was given to the firm, should be responsible for one year to return those profits to the creditors should the concern become insolvent, and also that they should not be at liberty to withdraw their money, or if they did that they should be responsible to the creditors for one year. The clause was prepared by analogy to a provision in the Companies Act which, whilst limiting a shareholder's liability, made his liability extend to a period of one year after he had ceased to hold shares, in case of the company being wound up. This clause in like manner would apply to the case of the firm executing a trust deed or becoming bankrupt.

Mr. MILNER GIBSON said, it was inconvenient to discuss a clause of which notice had not been given, but he was informed that the law, as it at present stood, guarded against collusion between partners, and would compel a return of the money under the circumstances described. He thought, therefore, it would be better not to limit the period of liability.

Mr. BOVILL said, the clause was not directed against collusion, and that certainly the law would not meet the case which he had suggested, and which would frequently occur under this Bill.

The ATTORNEY GENERAL said, that in the judgment of his right hon. Friend and his own too, the law as it stood did as much as it was politic or necessary to do, and would deal with all cases of collusion between debtor and creditor for the withdrawal of capital within the year of bankruptcy. Although he did not pretend to say there might not possibly be some cases in which creditors might be defrauded, he thought that the Bill provided reasonable securities by exposing to the risks of trade capital embarked in a business and not withdrawn, and leaving to the operation of the law as it now stood cases in which such capital was collusively withdrawn.

Mr. C. TURNER said, he thought that some protection should be afforded to the public for handing back the money in cases in which capitalists embarked their money in a business with the intention of enjoying the profits, and put an irresponsible party forward as the owner of that business.

Clause *negatived.*

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next, and to be *printed.* [Bill 156.]

DOCKYARD EXTENSIONS BILL.

[BILL 145.] SECOND READING.

Order for Second Reading read.

Lord CLARENCE PAGET said, this Bill had been framed in accordance with the recommendations of a Committee of the House which sat last year. That Committee was of opinion that the great works proposed in our dockyards and basins should be executed as rapidly as possible, the evidence of engineers having satisfied its Members that such a course was very desirable in the case of works exposed to sea risks. They reported that a great saving of expense would result from diminishing as much as practicable the time occupied in completing the works. The Committee had recommended that the Government should be empowered to give contracts for the whole of those works, to be spread over a certain number of years. This Bill provided that the Admiralty should have power to give contracts for the works in two of the dockyards—Portsmouth and Chatham. In the case of the former the maximum amount of the contract was to be £700,000, and the maximum sum to be made payable in any twelve months on account of the contract £250,000. In the case of Chatham, the maximum amount of the contract was to be £650,000, and the maximum sum payable in any twelve months £200,000. The maximum duration of each of the contracts was to be five years. The Admiralty did not propose to take powers to raise money by this Bill, but merely to grant contracts very similar to the mail and packet contracts subject to an annual vote. A copy of every contract entered into under the Bill was to be laid before both Houses of Parliament within thirty days after the contract was made, if Parliament was sitting, and, if not, within thirty days after the next meeting of Parliament. With respect to the works which the Admiralty proposed to execute at Cork, they were not included in the Bill, because the Department found that they should be able to execute them within five years by convict labour. He begged to move the second reading of the Bill.

Motion made and Question proposed, "That the Bill be now read a second time."—(*Lord Clarence Paget.*)

Sir JAMES ELPHINSTONE said, he was happy to support the Motion, but in order to facilitate operations under the

Bill, he should propose an alteration which would provide that the expenses of defraying the works contemplated by this Act be raised on Government Annuities terminable in thirty years in the same way as the expenses of the fortifications at Portsmouth were ordered to be raised by the Act of 1863. It was most important that the works at the docks and dockyards should be completed as rapidly as possible. The loss which accrued to the country annually from the present state of things was considerable. He should, therefore, move that the alteration which he proposed should be added to the Bill either now or in Committee, whichever course might be the correct one.

THE CHANCELLOR OF THE EXCHEQUER said, that he did not think the alteration could be submitted to the House, and he was glad of it. The proposal of the hon. Baronet to provide for these works by loan was a method of proceeding which ought not to be attempted upon any light grounds, or except in cases of absolute necessity ; it would constitute a precedent perfectly contagious, destructive to the control of the House of Commons over the public expenditure, and be certain to lead to financial embarrassment and confusion. That was upon the merits. But, in point of form, he believed it was not competent for the hon. Baronet even in Committee to propose that this money be raised by loan.

SIR JOHN HAY said, he was exceedingly pleased with the course adopted by the Government upon this occasion, as by contracting for the execution of larger proportions of public works, they would considerably diminish the expenditure of the country, and secure the services of a higher class of contractors than were generally employed. It was only a pity that the Admiralty had not been advised to include within the scope of the Bill other works which were equally necessary. He perceived that though the works at Portsmouth were to cost about a million and a half, only £700,000 were to be spent in the next five and a half years. It therefore appeared that the works would take ten years in completion. A similar delay was also observable in connection with the works at Chatham. He thought, therefore, that it would have been better if it had been proposed to finish the works even more speedily.

MR. CHILDERS said, that the powers taken in the Bill related only to contract, and if the hon. Baronet (Sir John Hay) would refer to the papers which had been laid upon the table relating to dockyard extension, especially in connection with Portsmouth and Chatham, he would find that a large portion of the work was to be carried out by means of convict labour. There was also a good deal of dredging to be done. At Portsmouth the hon. Baronet would see that it was proposed to expend £260,000 during the present year, £312,000 next year, and £250,000 the year after. He believed that expenditure to be as great as even the hon. Baronet could expect in carrying out works of this kind.

Question, "That the Bill be now read a second time," put, and *agreed to.*

Bill read 2°, and *committed* for *Monday* next.

PUBLIC-HOUSE CLOSING ACT (1864) AMENDMENT BILL—[BILL 22.]

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Power to Local Authority to grant Licences to Licensed Victuallers and Refreshment House Keepers suspending operation of recited Act.)

SIR GEORGE GREY said, the object of the clause was to allow the magistrates to grant licences under special circumstances. Care should be taken that the objects of the Act should not be nullified, or that its original intention should not be departed from. While persons attending markets at an early hour should have accommodation, care should be taken that others not entitled to such privileges should not come in.

MR. AYRTON said, that having made a false step in the first Bill we were now likely to commit a greater error. In the first Bill the police were allowed to interfere with respect to the opening of public-houses during certain hours ; but this Bill would vest a power of selection in justices of the peace. He wished to take away altogether the power from the police, and place it in the hands of the justices who originally granted the licences, consistently with the whole course of legislation on the subject. It was not necessary here to consider if they were the proper persons to grant licences or not, but under the provisions of the present Bill it was better they should exercise the powers it conferred than the police, because they acted in the face of the public, and everything said or done was known to everybody. The Bill, be it remembered, was of a very penal character, and it was better to have the proceedings under it carried on in open Court than intrusted to the police. He submitted, therefore, to the Committee that if the powers given by this Bill should be exercised at all it should be by the justices, and his first Amendment, therefore, was to leave out the words "any local authority," and insert "the licensing justices at the time of granting or renewing any licence."

Amendment proposed, in line 10 to leave out

"Any local authority in the said Act mentioned," and insert "the licensing justices at the time of granting or renewing any licence" in lieu thereof.—(*Mr. Ayrton.*)

Sir GEORGE GREY said, that so far as he understood the Amendment of the hon. and learned Gentleman it proposed to supersede the "local authority" altogether. It would, he considered, be absolutely impossible to carry out any such provision. It was impossible that the justices could forsee the occasions of granting such extension of a licence, which in fact arose from day to day—when a ball was given at an inn, or when a public dinner took place there. On these occasions application was made to the police for licence to keep the house open beyond the legitimate hours, and it would be quite impossible to make these constant applications to the justices each time that an occasional licence was required. It was, too, quite impossible that they could, at the time when the annual licences were granted, ascertain when the occasional licences would be necessary. When an occasional licence was granted it became necessary that decorum should be maintained, and where it was not maintained if a similar extension was applied for it would be refused. This power had been for some time exercised by the police, and there had not been the slightest complaint of its having been in any way abused. It would then, he considered, be unwise to disturb the existing state of things.

Mr. COX said, he had no objection to the Amendment of his hon. and learned Friend the Member for the Tower Hamlets. He would say farther, that when he was preparing the measure he would have introduced a clause in the same spirit, had he not expected to bring down upon him from Her Majesty's Government a much stronger opposition than he had encountered in his attempt to pass this measure. The right hon. Gentleman the Secretary of State for the Home Department said that he objected to the Amendment because it was impossible for the licensing justices to grant those occasional licences; but if he (Mr. Cox) understood the Amendment, it had nothing whatever to do with the licences granted under the Act of 1864. It would, in respect to that Act, leave them exactly where they were at present, dependent for the licences on the constituted authorities and the Secretary of State. His hon. and learned Friend's Amendment referred to licences which were not occasional licences in the same sense as the occasional licences in the Act of 1864. It was found necessary to bring in this Bill to remedy what was an admitted evil, and he certainly had no objection to an Amendment which would give to the justices the power now exercised by the police. The Act of 1864 had been introduced to meet the case of the Haymarket, as he could prove from the speeches of the right hon. Gentleman the Secretary of State. They were all agreed that the state of the Haymarket was an evil which ought be put down; but if the police and Sir Richard Mayne had done their duty there would have been no occasion for that Act; but they preferred to carry everything with a high hand. The Act had no doubt remedied that evil, but it had inflicted a great hardship on other classes of Her Majesty's subjects. The right hon. Gentleman had admitted that there was a grievance on the part of those who attended the markets, and proposed to amend the Bill in that respect; but his (Mr. Cox's) object was to give relief not only to those who frequented the markets, but to all persons who followed a lawful trade or calling. He (Mr. Cox) had presented petitions signed by 4,000 persons pursuing lawful trades and callings in favour of such an Amendment in the Bill as would afford them the necessary accommodation; while the petitions presented from persons frequenting the markets were by no means so numerously signed. He would not object to close the houses from one to two o'clock, but the right hon. Baronet objected to that arrangement. His (Mr. Cox's) desire was that victuallers and refreshment-house keepers should, on application to two justices for a licence, not be precluded from obtaining it, and from supplying the necessary refreshments to those persons pursuing lawful trades or callings when they required them. He understood the right hon. Baronet to say he would not object to open the houses to persons of any lawful trade or calling; but the right hon. Gentleman in his Amendment made an exception in favour of those persons who frequented the markets only. Now, any man having a trade or calling should have the opportunity of getting the necessary refreshment within reasonable hours. He did not know whether his hon. Friend the Member for the Tower Hamlets intended to divide the House upon his Amendment, but if he did he should support him. His object was that the provisions of the Bill should extend to other persons than those who attended the markets—that was to those pursuing lawful trades.

Colonel EDWARDS was happy to hear that the right hon. Gentleman the Secretary for the Home Department had conceded one point in favour of those who attended the markets; but there was another interest—namely, that of the compositors, who as a class were exposed to great hardship.

Sir GEORGE GREY reminded the Committee that the question now before them was simply whether these occasional licences should be granted by the police authorities or by the justices.

Mr. ROEBUCK desired to know from the right hon. Gentleman the Home Secretary whether, under the circumstances, he intended to oppose the Amendment of which the hon. Member for the Tower Hamlets had given notice, which proposed to give to two justices the power to grant licences under the particular circumstances he had mentioned. This was a different class of licences from the other. Could he doubt that they ought not to be in the hands of the police? He thought they ought to be granted by the magistrates, and not by the police. This did not do away with the occasional licence, which remained with the police. He asked whether it was wise to oppose the proposition of the hon. Member for the Tower Hamlets.

Sir GEORGE GREY said, if it was put on that ground, he saw no objection to it. He did not think there was any great objection to this class of permanent licences with regard to markets being in the hands of the justices if it was understood that the occasional licences would be left with the police.

Mr. ROEBUCK said, it would be quite time enough to discuss the second proposition when they came to it. He thought with the right hon. Gentleman that the occasional licences had better be in the hands of the police.

Mr. AYRTON said, the question before the Committee was to confine the power of the justices to the granting of permanent licences. He did not wish the Committee at this stage to pledge itself to anything to be done on any subsequent clause.

Mr. HENLEY said, they were opening grave questions. The more they kept the executive office separate from the exercise of *quasi*-judicial functions the better. Hitherto we had been careful in this country in this respect; but step by step, and little by little, we were putting into the hands of the police functions which would be much more properly exercised by other authorities. Besides, the police might be supposed to look more leniently on the abuse of a licence granted by themselves. He was for keeping those things out of the hands of the police, whose duty it was to look out for breaches of the law, and to take up and harry those who broke the law; but they ought not to be made judges as well as accusers. He would be glad to see this part of the licensing duty put into the hands of the magistrates instead of the police.

Amendment *agreed to.*

Another Amendment proposed,

"In line 14, after the word "market," to leave out the words "or following any lawful trade or calling," in order to insert the words "in the pursuit of their lawful occupation between the hours of two and four of the clock in the morning."—(*Sir George Grey.*)

Colonel EDWARDS said, he had no desire to infringe upon the existing law, which he thought had conferred a great benefit on society, but he must say that the law did inflict a great hardship upon a meritorious class of the community—he meant the compositors who were engaged on morning newspapers in this town. While so engaged, they carried on employment in a vitiated atmosphere, and when they had concluded their labours between two and four o'clock in the morning, they were unable to procure refreshment. It was quite true that in the office of the leading journal there were facilities for affording refreshment to the men employed on it, but that was not the case with respect to the minor offices, and the consequence was that the men employed in these offices were unable to obtain that refreshment which they stand so much in need of, and were obliged to go through the streets of London subject to every inconvenience arising out of the existing state of the law. This was peculiarly hard as respected these men, and he hoped the Secretary for the Home Department would make a further concession in respect of this Bill, and consent to the opening of houses within the prohibited hours in the neighbourhood of the newspaper offices. He thought that all that would be required to afford the necessary accommodation to the class of persons to whom he referred would be to grant licences to four or five public-houses in the neighbourhood of the printing offices of the several morning papers, which were situated in one particular locality. The concession would be a great boon to the persons in question, and he hoped the right hon. Gentleman would grant it. He hoped and trusted the Government would grant the prayer of the petitioners.

Mr. ROEBUCK said, that as the matter now stood he did not see how the right hon. Gentleman (Sir George Grey) could entertain any fears on the subject. By the Bill a tribunal of two justices was constituted, and applications for licences had to be made in open day and before the public. The right hon. Gentleman had conceded the right of persons attending the public markets to have refreshments. He thought this right imperative. But why deny it to compositors? Why should they not have the same privilege as that accorded to hon. Members, who, if they kept up till one or two o'clock in the morning, were permitted to obtain refreshments at their Club or even in the lobby of the House itself? It was said that by this Bill the compositors would be prevented from indulging in drams. Was it possible to believe that men, whose labour required such a large amount of intellect, could be guilty of such debasing pursuits? Why should those intellectual and highly accomplished men be deprived for two hours of necessary refreshments? These men, it should be recollected, were working for us. Why should they, while working for the public at large, be deprived of their cup of tea or coffee, or their glass of wine? What possible harm could it do to concede to them this privilege?

Mr. CRAWFORD concurred in the view that the compositors should not be deprived of the privileges of having refreshments during their work. Consider the satisfaction enjoyed by the public in having the newspaper on the breakfast-table every morning. He thought it would be most unjust to this respectable and intelligent body of men to deprive them of the means of refreshment at the very moment when that refreshment was most needed. Persons applying for such licences must give proof before the public that they possess good characters; and if they do not stand an examination fairly they are refused. Under all the circumstances he hoped and trusted the right hon. Gentleman would give way; and if not, seeing the feeling of the Committee in favour of the clause, he should certainly move the omission of the proviso.

Mr. HENLEY also hoped the right hon. Gentleman would give way on this point. What, he asked, were public-houses provided for, but to give what people could not at all times get in their own houses? And how were they, in that House, to define what the people of this great metropolis wanted, and at what hours they should have what they required? Were they, before procuring refreshments, to go before a magistrate and prove that they had "a lawful calling?" It was cruel, in his opinion, to refuse what was asked. Members of that House were in a line of life to procure refreshments when they pleased—they might keep their servants out of bed to provide them; but these poor people could not do so. Their wives and children go to bed, and they were unable, therefore, to obtain any refreshments whatever when they most required them. They worked harder than we do, and what harm can possibly occur from granting a licence to let them have refreshments at a certain hour? If any harm occurred they had a police to prevent any bad consequences, and it was unjust that, because there were some loose houses, the whole should be closed up.

Sir GEORGE GREY said, he only wished to secure the advantages which had been already conferred on the community by the Act of last Session, and it was therefore he proposed to insert the words "lawful occupation." The effect of this clause would be to give power to the licensing magistrates to supersede the Act of 1864. ["No, no!"] Hon. Members cried "No, no," but the cabmen on their stand were following their lawful trade, and under the provisions of this Bill the proprietor of any public-house in the neighbourhood of a cab-stand could apply for an exceptional licence. The words of the Bill went to that extent. Compositors were one class;

but there were many other classes of men engaged in night work who used public-houses not much to their own advantage, and therefore it would be unwise to give every public-house situated in the neighbourhood where these men were employed the power of saying they desired to have an exceptional licence for the accommodation of men following their lawful calling. The case of the markets was different, for within the precincts of these markets were certain houses which might, without any general inconvenience, be exceptionally licensed. The licensed victuallers themselves, residing in the neighbourhood of the newspaper offices, very earnestly deprecated any interference with the present Act. They stated that they considered the Act had worked most advantageously, and that they had special opportunities of observing its action in respect to persons engaged on the newspaper press, and that although it might be true that these men did require refreshment while the public-houses were closed, still it could easily be obtained by purchasing it before the hour of closing, and that therefore it was not necessary to keep public-houses open for their accommodation. *The Times* newspaper provided refreshment-rooms for those engaged on their establishment, and the same could be done by other newspaper proprietors, or by the men combining for that purpose. He had received from Manchester an inquiry as to whether there would be any illegality in having a room in which refreshments might be served during the prohibited hours, and he replied that if the place was not licensed for the sale of intoxicating liquors no objection would arise. He believed that a similar arrangement might be made in every newspaper office in London. He wished to remind the Committee that the words of the clause were not confined to the case of compositors, but would include every other lawful occupation.

MR. COX said, he presumed he knew more of his own Bill than the right hon. Gentleman did. He (Mr. Cox) said, the words of the clause would be a complete answer to the observations of the right hon. Gentleman as to this proposal producing such terrible disaster in the metropolis. The words were "It shall be lawful," &c., "upon the production of such evidence as such justices shall deem sufficient to show that it is desirable for the accommodation of any considerable number of persons attending any public market or following any unlawful trade or calling." He thought he had guarded the granting of such a licence in the strictest possible way by the providing that there shall be evidence not only that it is "necessary," but also that it is "desirable," and that it shall be for "the accommodation of a considerable number of persons." When the right hon. Gentleman spoke of two justices granting a licence to a cab-stand with two or three cabs upon it, he (Mr. Cox) replied that he had so constructed the provision that the evil he anticpated could not be fairly apprehended. He would like the right hon. Gentleman to give an answer to this question. Why should not the cabmen whom they saw waiting outside in scores till two or three o'clock in the morning, in order to take hon. Members to their homes, be able to get refreshment? He thought that the safeguards which he had thrown around this provision ought to disarm the objections which had been made. The turning point of the Bill would be upon the division as to retaining the words "or following any lawful trade or calling."

COLONEL EDWARDS said, it was not half an hour since, in the lobby of the House, he was in communication with the Secretary of the Manchester Association, who distinctly told him—(probably he was in the House now)—that he approved of Mr. Cox's Bill in its entirety, and that he had no objection whatever to it; and yet they had heard read from the table of that House an adverse report, he supposed, from the Manchester Association—[Sir GEORGE GREY: No!]—a report condemning the Bill of the hon. Member for Finsbury altogether. The compositors were a class of people frequently employed from six o'clock at night till four in the morning. They were confined in printing establishments during the whole of that time, and he maintained that when they came from their work it was essential that they should have some refreshment, and some shelter in case of need, seeing that some of them had four or five miles to travel home.

MR. GOSCHEN suggested, that instead of the words "following any lawful trade or calling," the words should be adopted, "or engaged in their usual occupation in the composition or compilation of the daily paper."

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:*—Ayes 60; Noes 40: Majority 20.

Sir GEORGE GREY then proposed a proviso to this effect—

"That the house shall be within the precincts of the market at which such persons attend, or at a distance of not more than fifty yards from such precincts and that in regard to persons following a trade or calling, the house shall be within fifty yards of the place where the persons are so employed."

Mr. COX said, that this was a reasonable proposal, and he would not object to it.

Mr. HENLEY suggested that there might not be a public-house within fifty yards.

Sir GEORGE GREY said, fifty yards was a reasonable distance.

Mr. ROEBUCK wished to give a discretionary power to the magistrates as to distance. Such peddling legislation was beneath the dignity of the House. If the magistrates could not be trusted on a matter so simple as this they should not be intrusted to perform the more grave duties committed to them.

Sir GEORGE GREY said, the Bill did not propose to leave anything to the decision of the magistrates. [Mr. Roebuck: But I do.] He thought it desirable to fix the distance. It would relieve the justices of great difficulty if that were done. He had no objection to 100 yards, but the limits should be defined.

Mr. HENLEY said, it was absurd to lay down a rule which would prevent a man from obtaining refreshment because a house was a yard more or less from his place of business.

Sir GEORGE GREY said, that if the feeling of the House was strongly opposed to the proviso he should not put Members to the trouble of dividing again. The proviso had only been proposed in deference to the representations from licensed victuallers and other residents in the neighbourhood of the markets.

Amendment, by leave, *withdrawn.*

Sir GEORGE GREY then moved the addition of the following provisoes:—

"That a printed notice stating the days and special hours during which, and the class of persons for whom, the house is open under such licence shall be affixed in a conspicuous position outside the house;

"That such persons only shall be admitted during special hours as belong to the class for which the house is licensed to be opened during those hours."

Mr. E. P. BOUVERIE wished to know how it was possible to carry out such a provision. Was a man to write on his forehead that he was a compositor, or was the proviso to apply to men wearing fustian jackets or some other distinguishing dress?

Sir GEORGE GREY said, the object of this Bill was to limit the licence solely to the persons of that class, and for their accommodation alone. It would prevent publicans keeping their houses open to prostitutes and persons of bad character.

Mr. ROEBUCK said, that as the police would know the circumstances under which each licence was granted, they would be able to report if the conditions of the licence were not complied with; and if prostitutes or other bad characters were admitted, the licence could be at once cancelled. The public could have no greater protection.

Mr. COX said, that there was an immediate power of withdrawal vested in the justices.

Mr. COLLINS thought the first proviso an excellent one, and therefore suggested they ought to be put separately.

Mr. HUNT thought the people who propose to use the houses during those hours ought also to be licensed; for it would be necessary for each man to have a ticket to show the occupation he was engaged in, to entitle him to be served.

The first proviso was then *agreed to;* the second, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 3 amended, and *agreed to.*

Clause 4 *agreed to.*

Mr. LAWSON moved to insert the following clause:—

("Act to be in force in certain districts, &c.")

"The said Act, as herein amended, shall be in force in such districts under the operation of the Public Heath Act, 1848, or the Local Government Act, 1858, as adopt the same; and Local Boards of Health established under or by virtue of the said Public Health Act, 1848, and Local Boards established under or by virtue of the said Local Government Act, 1858, may adopt the said Public House Closing Act, 1864, in the same manner, and the same shall come into operation at the same time as is provided for the adoption and coming into operation of that Act by corporate boroughs or Boards of Improvement Commissioners."

The Act of last year applied to corporate towns and towns under Boards of Improvement Commissioners. There were a number of other towns under the Local Government Act of 1858, and the Local Board of Health Act, 1848, who wished to come under the operation of the Act; and the object of this clause was to enable them to do so.

Clause *agreed to.*

MR. AYRTON moved to insert a clause of which he had given notice for taking the power of granting these occasional licences out of the hands of the police and giving it to justices. He thought it much better that the justices should grant these occasional licences, and that the police should look after the execution of the law. They should not give the police the power of making the law. He would leave the question entirely in the hands of the Committee, and if the feeling of the Committee be in favour of his Amendment, he trusted that the right hon. Gentleman will not object to it.

Moved, to insert the following clause:—

"So much of the 8th clause of the said recited Act as defines the local authority to be a Commissioner, superintendent, or other chief officer of police, shall be repealed, and, instead thereof, the local authority shall be in any district, city, or town where petty sessions are held, two justices of the peace sitting in petty sessions, and in any other district, city, or town, two justices of the peace acting in the district, city, or town."—(*Mr. Ayrton.*)

Clause (Licences to be granted by two justices,) *brought up*, and read 1°.

SIR GEORGE GREY said, he believed that this proposal would render the Act almost inoperative. A man wanted to keep his house open half an hour or an hour beyond the usual time, on the occasion of a dinner, for instance, and he got a licence at once by applying to the authority specified in the Act. He hoped the House would not disturb the arrangement made last year with regard to the occasional licences, as it had worked exceedingly well.

SIR ROBERT CLIFTON thought the right hon. Gentleman was not quite right in what he had just stated to the Committee. He said they had only to apply to the police to get an occasional licence. Now, he had a letter from the Chief Constable's Office, Town Hall, Manchester, December, 1864, which stated—

"In reply to your letter I am to inform you it is not the intention of the authorities to grant any occasional or special licences under the Public Houses Closing Act."

In Manchester they could not obtain special licences, and he had known a case in London in which a person went to the proprietor of a large establishment—it was in Regent Street—and wanted to hire a room for a ball. An occasional licence was obtained, but just as a large party was sitting down to supper, the inspector of police came in and dispersed the company and closed the doors. He would not say that the company was very respectable, but he said that the authorities ought to have looked into the demand before they granted the licence.

MR. EWART was understood to say that occasional licences could not be got in Liverpool.

SIR GEORGE GREY said, that the report of the Mayor of Liverpool did not bear out the allegation that occasional licences were invariably refused.

MR. COLLINS said, the magistrates knew the character of every licenced victualler in the country, but that was not the case in the metropolis, and could not be.

MR. CRAUFURD said, the Scotch Act gave this power of special licensing to the justices, and there was no reason why it should not be so in England.

MR. HORSFALL said, it was to two justices in petty sessions.

SIR GEORGE GREY said, that if there was to be this restriction to two justices it would restrict the operation of the Act.

MR. AYRTON said, it could not be so. People did not get up great balls at an hour's notice, but knew of them a week, or a fortnight, or a month beforehand, and justices could meet in petty sessions at any time. Where there were no petty sessions, two justices could do it. There would, therefore, be no delay to complain of. He hoped that the Committee would rescind the error which they had committed in giving the police the power of granting these licences.

SIR JOHN SHELLEY said, he did not think that any error had been committed in giving the power of granting occasional licences to the police, and he therefore thought that that power ought to be left in the hands of the police, and not be given to two justices. He believed that the parties most interested would rather that the power of granting the licences should be continued in the hands of the police, and not be transferred to justices of the peace.

COLONEL EDWARDS was of a different opinion. He thought that the power of granting the licences in question ought to be given to the justices, as proposed by the Amendment.

Question put "That the Clause be read a second time."

The Committee *divided:*—Ayes 50; Noes 40: Majority 10.

Clause *added.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next, and to be *printed.* [Bill 159.]

INLAND REVENUE ACTS.

COMMITTEE.

Considered in Committee.

(In the Committee.)

The CHANCELLOR of the EXCHEQUER moved—

> "That it is expedient to make provision for allowing a Malster the option of having the Excise Duty on Malt made by him charged according to the weight of the Grain used in the making of such Malt instead of by measure."

Resolution *agreed to.*

House *resumed.*

Resolution to be reported *To-morrow;* Committee to sit again on *Monday* next.

SHANNON RIVER.

NOMINATION OF COMMITTEE.

Colonel FRENCH moved that the Select Committee on the Shannon River do consist of the following Members:—Colonel French, Mr. Laird, Mr. Peel, Mr. Ormsby Gore, Captain Jervis, Lord Dunkellin, The O'Conor Don, Mr. Cox, Mr. Agar-Ellis, Mr. Dawson-Damer, Sir Edward Dering, Mr. Pollard-Urquhart, Mr. D. Fortescue, Lord Naas, and Colonel Vandeleur. He said he understood that the Government objected to the Committee as he had chosen it. He would not be dictated to, and as the constitution of the Committee was as fair as possible he hoped the House would accept his nomination.

Motion made, and Question proposed, "That Colonel French be one of the Members of the Select Committee."

Mr. PEEL said, that the Government were willing that the hon. and gallant Gentleman should nominate eight Members of the Committee, but it was only reasonable that the Government should nominate the other seven Members.

Mr. CRAWFORD moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Crawford.*)

The House *divided:*—Ayes 34; Noes 17: Majority 17.

Debate *adjourned* till *Monday* next.

Colonel FRENCH then moved the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel French.*)

Motion, by leave, *withdrawn.*

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Friday, May 19, 1865.

MINUTES.]—Public Bills—*First Reading*—Clerical Subscription* (111) [h.l.]; Exchequer Bonds (£1,000,000)*; Land Debentures* (112); Land Debentures (Ireland)* (113); County of Sussex* (114).

Second Reading—Public Offices (Site and Approaches) (68); India Office (Site and Approaches)* (69).

Committee—Oxford University (Vinerian Foundation (79); Customs and Inland Revenue* (105); Police Superannuation* (95).

Report—Oxford University (Vinerian Foundation)* (115); Customs and Inland Revenue* (105).

Third Reading—Metropolitan Houseless Poor* (70).

IRELAND—JOHN AND CHARLES HANNIGAN.—ADDRESS FOR PAPERS.

Viscount LIFFORD rose to call the attention of the House to the case of John and Charles Hannigan, lately prisoners in the Gaol of Lifford; and to move for a Copy of their Petition to the Lord Lieutenant of Ireland, dated 28th of November, 1864, and of his Excellency's Reply thereto. It was always a very disagreeable thing to have to bring under the notice of their Lordships any question of individual grievance, and it was more especially disagreeable when the grievance was connected with Ireland; but the fact was there was no other resource, and therefore he hoped for the forbearance of their Lordships while he explained this case, and showed them a remarkable illustration of the old maxim, *Summum jus, summa injuria.* The Hannigans had not long come into possession of a certain field, when they were called upon to pay a poor rate which was due from the preceding occupier. That rate they paid, and then about a month afterwards they were called upon to pay a sum due for county cess, which had also been left unpaid by the last occupier. There was some demur about paying the amount, upon which the collector seized a horse in the field. This was rather more than the patience of these Irishmen could bear. One held the horse while the other ran to the house for the money. In the meantime the one who held the horse, supposing it would be taken away, struck the collector, who did not, however, appear to be injured, as he afterwards walked away with the horse. The case was brought before him (Viscount Lifford) as a magistrate, and he felt bound to commit the men for assault. The case went to trial. They were afterwards prosecuted at Quarter Sessions, and convicted, and to his great surprise were sentenced to eight months' imprisonment—for holding a horse by the head for a few minutes. And for what sum did their Lordships suppose these unfortunate men had been punished? Why, the entire sum which caused all this mischief was 3*s*. 6*d*. These men were taken to prison, leaving an aged father entirely destitute. He thought this a very hard case, and when the prisoners applied to the Lord Lieutenant for a remission of the sentence, he backed the petition in every way that he possibly could. He applied personally to the Castle in their favour. Lord Wodehouse had not then been appointed, but after his appointment he received a letter to the effect that, after a full consideration of all the circumstances of the case, his Excellency had decided that the law must take its course. The Chairman of Quarter Sessions was applied to, and he stated that the county of Donegal, where the assault had taken place, was in a very disturbed state, and it was necessary to inflict the full sentence. Now, he believed that the information on which the Chairman of Quarter Sessions acted had been entirely erroneous. It was true that the county of Donegal was one in which secret societies were rife, but in that part of the county in which the Hannigans resided it was particularly quiet. In that district he had seen 600 Roman Catholics sign a pledge to do all in their power to put down secret societies. He admitted that nothing could be more unfortunate than that either House of Parliament should revise the decisions of a court of law; but the system of centralization in Ireland was peculiarly exemplified in this case. In Ireland country gentlemen were not treated with the same consideration as country gentlemen were in this country. In England the magistrates of a county elected their own chairman; in Ireland he was a paid official, sent down from Dublin four times a year, and knew very little about the county. That was the case in the present instance. The Chairman knew nothing of the real circumstances, and the reforemade a report to the Lord Lieutenant which entirely misled his Excellency. He did not bring this case forward to make any attack on the Chairman, who was since dead, but he thought it a case which strongly showed how injurious to the ends of justice the system of centralization was. The noble Viscount concluded by moving, as a matter of form, an Address to Her Majesty for—

> "Copy of the Petition of John and Charles Hannigan, lately Prisoners in the Gaol of Lifford, to The Lord Lieutenant of Ireland, dated 28th November 1864, and of his Excellency's Reply thereto."

Earl GRANVILLE thought their Lordships would agree with him that no case had been made out against the Irish Government. It appeared that great difficulty had existed in the county of Donegal in collecting the county cess in that part of the county where this assault took place. ["No, no!"] The noble Viscount's own statement showed that it was so, for he said that the person last in possession had not paid the sum which was due from him. The collector was struck two or three times, and at the time of the trial he appeared to have been very much injured by the attack which was made upon him. It was considered that, under all the circumstances, the law ought to be vindicated. When, therefore, application was made to the Lord Lieutenant to remit part of the sentence, the Lord Lieutenant stated that if he had had to judge of the case himself, he should have thought it was a very bad one; but he was guided by the opinion of the Chairman of Quarter Sessions who tried the case, and that opinion was, that the sentence should not be mitigated. On this report the Lord Lieutenant declined to interfere. The Chairman of Quarter Sessions, who had since died, had been a most valuable public servant; and, although the noble Viscount complained of centralization, four local justices sat with the Chairman when the case was tried, and they unanimously agreed as to the amount of punishment that should be inflicted.

Motion (by Leave of the House) *withdrawn.*

PUBLIC OFFICES (SITE AND APPROACHES) BILL—(No. 68.)

SECOND READING.

Moved, That the Bill be now read 2ª.—(*Lord Stanley of Alderley.*)

Lord REDESDALE said, he regretted that the Government did not purchase all the land they required at once, instead of coming from time to time for powers to do so. Every year's delay increased the value of the land from the very fact that as they commenced building they greatly enhanced the value of the land in the immediate neighbourhood, and ultimately they were obliged to purchase it at a much higher rate than if they had taken it in the first instance. He considered the present site was the most desirable they could possess, if it was intended to concentrate in the neighbourhood of Westminster all the public offices; but he regretted that by the course pursued by the Government in acquiring the land, they were each year adding to its value before they took powers to purchase it. For instance, they had bought one side of Charles Street, and of King Street, and, of course, the other side had become more valuable because of the handsome structures they were raising in front of it. By this Bill they proposed to buy Charles Street up to a place called Gardiner's Lane, one of the worst and filthiest parts of Westminster. They might take powers to acquire the whole of the land that would be ultimately required without necessarily displacing the present occupiers sooner than it was actually necessary, or than they were now doing by these piece-meal purchases. The Government appeared to him to be pursuing the worst sort of economy, and, which he regretted to see, they were practising year after year.

The Earl of LONGFORD said, that there were no less than five Acts of Parliament referred to in the preamble of the Bill in connection with this subject. The accumulation of Acts for one purpose had been a subject of constant complaint, and was found embarrassing in legal proceedings. He only hoped that those who would have to transact the business in the new buildings would be conveniently accommodated, and would not be exposed to those cold draughts, arising from scientific ventilation, which afflicted the Lords Spiritual and Temporal assembled in Parliament.

Lord STANLEY of ALDERLEY said, that at present most of the land required was in the hands of the Government. It, no doubt, would have been more advantageous if they could have acquired the whole that would have been required at one time; but the House of Commons looked with jealousy on large demands for money with which to make these purchases, considering that the Government were asking for more than was actually required at the time the Vote was taken.

Motion *agreed to:* Bill read 2ª, and *committed* for *Monday* next.

CLERICAL SUBSCRIPTION BILL [H.L.]

A Bill to simplify the Subscriptions and Declarations required to be made by the Clergy of the United Church of England and Ireland, and for other purposes—Was *presented* by The Lord President; read 1ª; to be *printed.* (No. 111.)

House adjourned at Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, May 19, 1865.

MINUTES.]—Select Committee — On Master and Servant, *nominated.*

Supply—*considered in Committee* — Civil Service Estimates — Class II. — Salaries and Expenses of Public Departments.

Public Bills—*Resolutions* [May 18] *reported*—Inland Revenue Acts.

Ordered—Inland Revenue Acts.*

First Reading — Malt Duty * [160] ; Coroners (Ireland) * [161].

Select Committee—On Salmon Fishery Act (1861) Amendment * [117], *nominated.*

Committee—Roman Catholic Oath [86], *Debate adjourned.*

Third Reading—Drainage and Improvement of Lands Act (Ireland) Amendment * [82]; County Voters Registration * [135] ; Commissioners of Supply Meetings (Scotland) * [136], [*Mr. Finlay*], and *passed.*

BREAKWATER AT ALDERNEY.

QUESTION.

Mr. BAXTER said, he wished to ask the Secretary to the Treasury, If it is true that damage has been done to the Breakwater at Alderney, which it will take at least £50,000 to repair, and if serious apprehensions are entertained for the safety of a larger portion of that valuable structure?

MR. PEEL stated, in reply, that in the last Papers respecting Harbours of Refuge, presented the other day, the hon. Gentleman would find an account of the damage upon the occasion of these storms. It appeared that the masonry walls of the Breakwater had breached in two places of considerable length two feet below the level of the sea at low water. No damage had been done to the base upon which the wall was built, the most important part of these breakwaters, and no apprehensions were entertained, as far as he was aware, for the safety and stability of the structure. The cost of the repairs had been estimated at £15,000, but the cost to the public would not be so much, as the contractor was liable for any damage till the breakwater was completed, except in the case of damage arising from great storms, in which case he was liable to pay one-half.

INDIA—CASE OF MR. BUCKLE.

QUESTION.

MR. VANSITTART said, he would beg to ask the Secretary of State for India, Whether his attention has been drawn to the Memorial of Mr. Buckle, relating to his arbitrary dismissal from the office of Civil and Sessions Judge of Moorshedabad by Mr. Beadon, the Lieutenant Governor of Bengal, contrary to the protests of the Judges of the High Court of Judicature, Calcutta; if so, what steps he has taken on the subject?

SIR CHARLES WOOD, in reply, said, he did not think the terms of the question conveyed an accurate notion of the facts of the case. Mr. Buckle, who had been employed in the Opium Department, had been appointed a Judge according to the old practice of providing in some way or another for members of the Civil Service, and in dealing with causes without a jury he gave satisfaction. He was subsequently removed to a Court where he sat with a jury, and the High Court at Calcutta made representations to the effect that he did not satisfactorily conduct trials with juries; in fact, that he was not competent to sum up evidence. Upon that representation Mr. Buckle had been removed from his post and from all judicial employment, but he (Sir Charles Wood), believing that the reasons for removing that gentleman from all public employment were insufficient, had requested the Lieutenant Governor to give him some other employment for which he was qualified.

ARMY — THE CONTAGIOUS DISEASES PREVENTION ACT.—QUESTION.

COLONEL NORTH said, he wished to ask the Under Secretary of State for War, What steps have been taken to bring into operation at Aldershot the Contagious Diseases Prevention Bill?

THE MARQUESS OF HARTINGTON said, in reply, that Dr. Leonard, the Inspector under the Act, had been directed to report at the end of last year upon Aldershot and the local hospitals which were likely to be available for the purposes of the Act. He reported that neither the Infirmary nor any other hospital in the neighbourhood was adapted for the purposes of the Act. Under these circumstances arrangements were temporarily made to remove persons subject to the operation of the Act to the Lock Hospital in London. The very limited experience they had had of the working of the Act at Portsmouth, Devonport, and other places, had shown that, unless the provisions of the measure could be thoroughly and completely carried out, little or no good could result from putting the Act in force. Dr. Leonard had lately made proposals for trying the experiment upon a more complete scale at Aldershot, and the matter was now under consideration.

DEVIZES TURNPIKE TRUST.

QUESTION.

MR. DARBY GRIFFITH said, he wished to ask the Under Secretary of State for the Home Department, When the Returns of Correspondence relating to the Turnpike Trusts of the neighbourhood of Devizes, for which an Address was moved on Thursday, the 11th instant, will be laid upon the table of the House?

MR. T. G. BARING said, in reply, that the Correspondence relating to the Turnpike Trusts in the neighbourhood of Devizes would be laid upon the table that evening. There had been no unnecessary delay, for the Return consisted of fifty-two pages, and included the signatures of 995 persons who had memorialized for or against the Turnpike Trusts. He thought the attention of the Chairman of the Printing Committee might be called to the question whether the petitions did not rather refer to private interests than to public matters.

INDIAN MEDALS.—QUESTION.

Mr. W. MILLER said, he would beg to ask the Secretary of State for India, with reference to his reply to a question addressed to him on the 15th instant, Whether he is prepared to order that the Medal be now distributed to all the Troops, regular and irregular, who were actually engaged (that being the admitted principle and limitation) in the field against Rebels and Mutineers in the Bombay Presidency during 1857, 1858, and 1859, as it was a matter of absolute certainty that Officers and Men of several Corps, regular and irregular, employed in the Deccan and elsewhere, and who were actually engaged against Rebels and Mutineers, have not received the medal?

Sir CHARLES WOOD, in reply, said, he did not admit that any officers or men who were entitled to medals had not received them. As far as he knew, all those who were entitled under the general orders of the Government of India and the recommendations of Lord Clyde had received the medals, and therefore he was not prepared to issue any fresh order upon the subject. If any particular cases were brought under his notice they should receive his careful attention.

Sir JAMES ELPHINSTONE said, he wished to know whether there were not certain officers employed against the Bheels, and as in the case of the Tantia Topee raid they were practically rebels, and whether those officers were not entitled to medals?

Sir CHARLES WOOD said, he was under the impression, without having the papers before him, that there were present officers employed in putting down the bands of robbers, the Bheels, and the Government of India did not consider that the ruffianism of robbers was to be treated in the same way as the putting down of a mutiny.

UNITED STATES—PROCLAMATION OF PRESIDENT JOHNSON.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether his attention has been drawn to the Proclamation of the President of the United States, offering 100,000 dollars for the arrest of Mr. Jefferson Davis; and whether Her Majesty's Ministers are prepared to make any representations to the Government of the United States in reference to the treatment of the Southern leaders?

Viscount PALMERSTON: Sir, the only answer I can give to the question of the hon. Gentleman is that Her Majesty's Government have no intention of attempting any interference in the internal affairs of the United States.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ATTORNEYS' &c., CERTIFICATE DUTY.

RESOLUTION.

Mr. DENMAN said, he rose to move—

> "That, in the opinion of this House, it is just and expedient that the annual Duty payable upon Certificates taken out by Attorneys, Solicitors, and Proctors in England and Ireland, and by Writers to the Signet, Solicitors, Agents, Attorneys, and Procurators in Scotland, should be abolished."

A few weeks ago (the hon. and learned Gentleman said) he, in common with most other Members, was entirely ignorant of the details of this tax, but, having been waited on by various gentlemen representing that branch of the profession, he had promised to look into the matter; and, having done so, he had come to the conclusion that they had a real grievance, and that this was one of the most unjust charges levied on any part of the community. Every solicitor and attorney must necessarily pass through an expensive education. When he took out his articles he had to pay a stamp duty of £80, and when he was admitted he had to pay a further tax of £25, making a total tax of 100 guineas—a larger sum than was paid by barristers or any other profession. The attorneys did not complain of this, however, for they thought that when paid it was done with for once and for all, and it was a sum which they would not be called on to pay again. But that was not all. Before he could do a single stroke of work; before he could know whether his business would be lucrative or not, he had to go to the Stamp Office in the month of November or December and pay a tax of £9 in the metropolis, or £6 in the country, which was a license for him to carry on his business during the year. This had to be renewed annually. There was no other profession taxed upon this principle or in this way, and it was rather curious to see how such an impost came to be inflicted upon the attorneys. In 1785 Mr. Pitt, in his budget speech, in which, at the close of a long, exhausting war, he had to provide for a deficiency of £413,000, had to announce amongst other unpopular taxes, one upon maid-servants and another upon shops. These taxes were warmly opposed, and in a debate on the 10th of May, in which Mr. Fox and Mr. Sheridan took part, a Mr. Medley had the honour of being the first to suggest that a tax should be placed upon those unpopular people, the attorneys and barristers. He gave a droll account of the increase of lawyers, and said that, when he was a boy, there were but two in his part of the country, whereas they had lately had to pull the old sessions house down, because it was not large enough for them, and build a new one. Alderman Watson made a speech, in which he urged the strongest objections to the proposed tax on female servants, and suggested a tax on effeminate men and foreign servants, or, as a much preferable measure, even a double tax on solicitors. On the 23rd of May, when the debate on the Shop Tax Bill came on, to which all London seemed opposed, Alderman Watson again started up and expressed his opinion against the shop tax. The Alderman then proposed certain taxes in lieu of the tax on shops, observing that he thought the State should receive a share of the lawyer's fee. He calculated that there were then 5,000 attorneys in the kingdom, and if a tax of £30 were imposed on each, there would be an income from that quarter which would amount to about £30,000 more than the proposed tax upon shops was estimated to return. In the course of the same debate Mr. Pitt, after defending his proposal, said that although a tax upon attorneys might be considered an eligible one, nevertheless, no gentleman could be sanguine enough to suppose that it would yield £150,000. The eminent statesman went on to say that he knew some persons were desirous that such a tax should be adopted, for various reasons. Some wished for such a tax in their zeal for the revenue, others advocated it as a proper impost in time of war, or to make up a deficiency arising at the conclusion of a war; others, again, recommended it as being useful for purposes of regulation. There was, however, he said, another set of gentlemen who warmly embraced the idea of such a tax upon attorneys from a feeling of resentment arising from the losses they had sustained in their connection with those professional persons. Subsequently, when it was ascertained that there was a deficiency of £20,000 to be made up, Mr. Pitt came forward on the 8th June, with the proposal to tax attorneys, observing that from the many recommendations made by Members, he did not think that it would be an impost to which objection would be taken. That statesman then proposed a tax of £5 on London attorneys, and £3 on country attorneys, estimating a return from the whole of £10,000 a year. He also proposed a tax of 2*s.* 6*d.* on each warrant of arrest issued by attorneys. The latter tax, which was no grievance to attorneys, as they charged it to their clients, was subsequently abolished, while the unjust and oppressive annual charge had not only been continued to the present day but considerably increased. That was the state of things in 1785. From that period until 1815 that tax remained unaltered. Between those dates, however, there were heavy charges placed upon the articles of clerkship, increasing from £120 to £150. In 1815 the tax upon attorneys was increased to £12 for London attorneys, and £8 to the country practitioners, and so it remained until 1853, when the present Chancellor of the Exchequer made an alteration in it. In 1850 Lord Robert Grosvenor, now Lord Ebury, brought the matter before the House in the shape of a Bill to abolish the tax, believing it to be a great grievance and an injustice. In spite of the old stock argument that the noble Lord was interfering with the budget of the Chancellor of the Exchequer, which had not as yet been introduced, and that he was dictating to that right hon. Gentleman, the House, by a considerable majority, affirmed the principle of the Bill. The Government having, however, used their powers of protraction, which were available at all times to crush any attempts at legislation by private Members, the Bill of Lord Robert Grosvenor was delayed to so late a period of the Session that it was impossible to proceed further with it. In 1851 the noble Lord again introduced his measure, but owing to the circumstances arising from the peculiar state of parties in the House nothing could be done in the matter. In 1853 Lord Robert Grosvenor once more brought forward the subject on the 10th March, but was told that he had brought it forward at the wrong time.

Nevertheless, the noble Lord carried his measure through its first stage by a majority of 219 to 167. On the 27th April the Bill came on for its second reading, when, after some discussion, it was postponed on the ground that the Chancellor of the Exchequer had expressed his intention of dealing with the subject. Now, it should be recollected that it was the annual payment which the attorneys considered a grievance, and not the charge upon the articles at the entrance to the profession. In the Chancellor of the Exchequer's budget he, however, proposed to reduce the latter charge and not to touch the annual certificate. The right hon. Gentleman observed that the profession was subject to three charges—namely, on the admission to practice £25, the annual certificate £12, and the articles of clerkship £120. The amount of the tax, as appeared by a recent Return, was as follows: —In England, £68,752; in Scotland, £10,756; and in Ireland, £9,460—making altogether £88,968. Now, he (Mr. Denman) asked whether it was fair, in the present prospects of the country, that for the sake of a sum of £90,000 they should any longer continue a tax that was unjust, anomalous, and arbitrary. Its origin was unjust, because it was admitted to have been originally imposed from the feeling of resentment or petty spite on the part of persons who suffered in a pecuniary way from certain attorneys. It was anomalous and arbitrary because, by a series of legislation, Parliament had provided not only for the necessary and expensive education of this class of men, but also subjected it to certain conditions and restrictions to which no other trade or profession was exposed. No tax was felt so hard as the income tax when it pressed upon what was called brain-work. But as regarded attorneys, the tax in question was a double or triple tax on brain-work. He thought he had now made out a case to justify the House in declaring that this was not a just tax, and that it ought to be repealed. It was fallacious to argue that if the Chancellor of the Exchequer dealt with this tax he would be obliged to repeal other taxes also. The auctioneers and pawnbrokers had brought the case of their special burdens under the attention of the House, and he did not mean to say that they had not good ground for the claim which they advanced, but he did contend that their case did not at all stand on a par with the case of the attorneys, for it could not be said that an auctioneer was a professional man in the same sense that it could be said of an attorney. He had received through the post a paper stating the grounds upon which persons engaged in various trades considered they had as good a claim as attorneys to be exempted from the duties to which they were subjected, and expressing a hope that he would support their case, but none of the occupations mentioned in that paper could be called professions, with the exception of perpetual curates, and though those persons had to pay an annual *ad valorem* duty, they did not, like solicitors, pay a large sum in the shape of duty upon entering their profession, nor did they pay a sum whether they received any annual income or not from their profession. Another argument against the Motion was that the surplus which the Chancellor of the Exchequer had to deal with this year was a very modest surplus. No doubt it was the smallest surplus, with the exception of one, which the right hon. Gentleman had had during the present Parliament, but he (Mr. Denman) did not think that was a sufficient reason for not entertaining the present Motion. Nor, by the way, could he admit that any surplus ought to be complimented for its modesty which was even partly made up of an unjust and arbitrary tax. The next argument might be that the budget for the present year was settled, and that it was too late now to attempt to interfere with the surplus. But this question had been decided by previous Parliaments. It was decided in 1850 and 1853, and against all the power of the Government and all the arguments of the Chancellor of the Exchequer, who always said that it was either too soon or too late to deal with the matter. If, however, the Chancellor of the Exchequer assured him, upon his official responsibility, that this tax could not be parted with this year, he would listen respectfully to what he said, and not bring forward vexatiously any Bill to interfere with his surplus this year. But in the event of his having a seat in that House next year, he wished, if he again brought forward the question, to avoid being told that he ought to have taken the opinion of the last Parliament upon it. What he now wished was, to obtain an expression of opinion by this Parliament, in accordance with the decisions of the House in 1850 and 1853, that this tax was unjust and inexpedient. He hoped that if the decision of the House was in favour of his Resolution, the right hon.

Gentleman would gracefully bow to that decision and act upon it. When Lord Robert Grosvenor proposed a Bill for the abolition of the certificate duty the right hon. Gentleman (Mr. Disraeli), who was then Chancellor of the Exchequer, and the then Solicitor General (Sir Hugh Cairns), voted for it. The present Lord Chief Justice of England (Sir Alexander Cockburn) also voted for the Bill, and described the tax as unjust and oppressive. He (Mr. Denman) could not see upon what principle attorneys were subjected to this tax when no similar tax was imposed upon barristers, physicians, surgeons, architects, civil engineers, railway directors, and Members of Parliament. If the right hon. Gentleman (the Chancellor of the Exchequer) imagined that by proposing to take off the entrance duty he would induce the attorneys, from fear of their profession being thrown open, not to trouble him again with appeals for the abolition of the annual certificate duty, he had reckoned without his host. The tax which the profession felt to be unjust was not the entrance duty, but the annual certificate duty, which bore severely upon young men struggling for existence. The heads of the profession who had petitioned against the tax had not done so with the object of benefiting themselves in a pecuniary sense, as the amount to them was of no consequence; but they felt it was a duty they owed to their younger brethren to try to get abolished this unjust tax which hampered them in carrying on their business. Even if this tax were abolished, the profession would continue subject to exceptional restrictions. Their bills were liable to be taxed, so that they were prevented from having exuberant prosperity. The tax on the London attorneys was equivalent to an additional income tax of 4*d*. in the pound on an income of £540, and of 4*d*. in the pound on an income of £360 on the country attorneys. And the tax had to be paid in advance, although the attorney might not make a farthing of profit during the year. In his speech on the Budget this Session the Chancellor of the Exchequer said that this tax had been paid by attorneys for many generations; he was surprised to hear the right hon. Gentleman use such an argument. It was as bad as the argument, which had also shocked his sense of justice, that the attorneys are an unpopular set of men. Looking at the highly delicate and important functions which they had to perform, and the mode in which they performed them, with rare exceptions, he thought the only principle on which hatred towards them would be justified by those who had sanctioned this objectionable tax, was that hateful principle *odisse quem læseris*. The right hon. Gentleman also said that abolishing this tax would be class legislation, but he (Mr. Denman) would put a case by way of illustration. Supposing the £90,000 which this tax yielded was imposed on nine of the richest Members of the House, and the Chancellor of the Exchequer proposed to relieve those Members from that burden, would that be class legislation? He thought that class legislation was the passing of the measure which imposed the tax. Upon these grounds he proposed the Resolution, and in doing so he confidently relied upon the good sense and justice of the House for its success.

Mr. VANCE, in seconding the Motion, said, this duty pressed with peculiar hardship upon solicitors in Ireland. The tax was not extended to Ireland until 1806, when the Chancellor of the Exchequer had great difficulty in raising money, was obliged to borrow it at ruinous rates of interest, and levied taxes on silk stockings and persons wearing watches. The tax operated unfairly, as it had to be paid alike by the young solicitor whose income was extremely small, and by the old practitioner whose gains might be enormous. In 1850 the Bill for its abolition was carried by a majority of 19; in 1851, by a majority of 30; and in 1853, by a majority of 42. It might be said that the profits of the profession were very large, and ought to be taxed; but in Ireland those profits of late years had been greatly diminished, and especially by the establishment of the Landed Estates Court in that country. The surplus of £280,000 which existed was amply sufficient to allow of this tax being repealed, more especially as the delay in repealing the tea tax would increase the Chancellor of the Exchequer's profits.

Amendment proposed,

To leave out from the words "That the" to the end of the Question, in order to add the words "in the opinion of this House, it is just and expedient that the annual Duty payable upon Certificates taken out by Attorneys, Solicitors, and Proctors in England and Ireland, and by Writers to the Signet, Solicitors, Agents, Attornyes, and Procurators in Scotland, should be abolished," (*Mr. Denman,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. HUNT said, he did not wish to enter into the merits of the question, but protested against the time when the Motion was brought forward. He asked whether they could fairly decide upon the merits under existing circumstances. The Motion affected the interests of all those persons who were employed in electioneering throughout the length and breadth of the land. An hon. Member below the gangway had said that all the boroughs were in the hands of attorneys. He (Mr. Hunt) did not go as far as that, but he dared say that a great many in that House were indebted for their seats to the exertions of that meritorious body of men. Would they vote that night as free and independent Members of Parliament, or under the influence of an undue pressure brought to bear upon hon. Members before the general election? He should certainly vote for going into Supply as a means of defeating the Motion.

Mr. HUMBERSTON said, that the principle of the Bill of 1850 was distinctly affirmed by the House on two or three occasions, and that the measure was only lost on the third reading at three o'clock in the morning. On other occasions the Bill had been lost by what he might term misadventure. He hoped the House would relieve attorneys from the injustice to which they had been so long subjected by this duty. They were by it more heavily taxed than any other class who required licences to carry on their trade or profession. Having been a member of the profession himself, he would add that he believed they were quite incapable of being improperly influenced by any decision at which the House might arrive on the question, and that if hon. Members owed their seats to the exertions of solicitors, it was because the latter had zealously taken up their cause, and not because they were actuated by any unworthy motives. He hoped that if the Resolution passed, and it was too late this year to act upon it, it would be understood that the Chancellor of the Exchequer should next year deal with this duty.

Mr. BLACK said, that he could see no good reason why writers to the signet and solicitors should be subjected to the tax, while advocates and barristers were exempted from it. There were about 1,600 solicitors and attorneys in Scotland; and many of them had strongly represented to him the grievance to which they were subjected. They complained less of the tax than of the degradation to which they were exposed in being compelled to take a licence for the exercise of their profession.

Mr. CLAY said, that he was not open to the suspicion of making a bid for the favour of solicitors, seeing that he would equally be in favour of removing the annual licence duty charged to horsedealers, auctioneers, and others. He objected to all licences whatever for carrying on trades. He saw no reason why a solicitor or an auctioneer should pay a tax more than a butcher or a baker.

The CHANCELLOR of the EXCHEQUER: Sir, in rising to state the reasons which induced the Government to offer a stout resistance to the proposal of my hon. and learned Friend (Mr. Denman), I shall not say one single word that can be construed into disrespect towards my hon. Friend, or towards that most valuable and useful profession whose interests are in some degree involved in this debate. We know that vulgar insinuations are sometimes heard with regard to that profession, which, while it affords the noblest scope for the highest qualities, affords scope also for those that are lower. But for myself I have always held the opinion that a worthy and honourable solicitor is himself one of the most valuable members of society; nowhere is the principle of honour to be found in a purer state, and it is no less pure because it is combined with the most enlightened and disinterested prudence. I am sorry that the researches of my hon. Friend into the Parliamentary history of this question have stopped short of the point of greatest interest. I am not going to allege that there has been any compact; the solicitors are free to raise this question at any time, and in any manner, they think fit. But I so far agree with what has fallen from the hon. Member for Northamptonshire (Mr. Hunt), that I do think the external proprieties would have been more consulted if the application for the removal of this tax had been made at a period somewhat more remote from the great event likely to happen in a few months.

Mr. DENMAN rose amid cries of "Order" to offer some explanatory remarks.

Mr. SPEAKER: The hon. Member has a perfect right to explain hereafter what his meaning was, but he has no right to interrupt any speaker for that purpose.

The CHANCELLOR of the EXCHEQUER proceeded: After a long Parliamentary agitation of this question the House of Commons in 1853 came to a decision, the result of which forms the last Parliamentary declaration on the subject. On that occasion the largest number of Members voted. In favour of the second reading of the Bill for abolishing this duty 102 ayes voted, but the measure was rejected by 186 noes. My hon. Friend quoted with great emphasis and unction some words of the Lord Chief Justice of England, who, at one period of his life, when imperfectly informed, denounced this duty. But the latest and most important act of the Lord Chief Justice was in a very different sense; and my hon. Friend will find that the name of Sir Alexander Cockburn appears in that majority of 84 which sanctioned the continuance of this tax. My hon. and learned Friend said it was dangerous to throw out suggestions to the Minister of Finance with regard to taxes that might be imposed. I can calm my hon. Friend's mind on that subject. Hon. Members are not very guilty in this respect, whatever they may be with regard to suggestions to take off taxes. My hon. Friend has said that if I assure him there is no available surplus which can properly and safely be applied to the purpose which he has in view he will not force on his proposal in the shape of a Bill. Giving credit to my hon. and learned Friend for the candour and moderation which distinguished his speech, I must say that I have objected, and always will object, as opposed to the true interests of the country, and as detracting from the character and dignity of this House, to all attempts to pledge the future by abstract Resolutions. My hon. Friend has alluded to what he calls the old stock argument about no time, either before, after, or during the Budget, being the proper time for bringing forward a financial proposal. But that is an excellent argument where applicable. The time to bring forward any proposal is when the House has all the other proposals before it; it can then either adopt the plans of the Minister if it deems them best, or substitute any other for them. But it cannot be regarded as a practical course to bring forward a single proposition pledging the House to a certain line of conduct, in order that credit may be gained with a portion of our constituents, being utterly uncertain whether it may ever be in our power to redeem that pledge. Such abstract Resolutions, barren of all results, and only laying the ground—as we have seen by experience—for questioning and suspicion hereafter, are not only objectionable in themselves, but in this case we really have no money that we can wisely and prudently deal with at this moment. My hon. Friend the Member for the city of Dublin (Mr. Vance) talks of the handsome present which has been made to the Exchequer by the postponement of the remission of the tea duty. I am not in possession of the actual figures since that postponement, but I can state that whereas the average daily payments of duty on tea were about £9,000 in London alone, they have lately been but as many hundreds a day. No doubt a portion of that loss will be recovered when the reduced duty comes into operation, but necessarily it will only be a small portion of what we should have received had the reduction taken immediate effect. The surplus of £200,000 may be open to question on account of its smallness, but certainly not as being too large. We have no right to suppose that because we began one year with a small surplus and ended it with a large one, such will always be the case; and there is nothing in the circumstances of the present year that should warrant us in departing from the general rules of prudence that govern our action. With regard to the general argument, I am no great admirer of these taxes; but, in considering taxes as they affect a particular class, it is a fact of the greatest importance that they have been paid for several generations. Thus, it in the end involves no hardship, for the trade or profession adapts itself to the burdens it has to sustain, and the amount of remuneration bears a proportion to those charges. I am sensible that there is something invidious in the nature of this tax, but I deny that a case has been made out to distinguish it from all other annual duties payable by professions and trades. The hon. Member for Hull (Mr. Clay) put the case on its true footing. It is quite impossible, with justice, to draw any broad line of distinction between professions and trades. How can you say that it is right to tax trades, and that it is wrong to tax professions? What is the sum really at issue?—the total amount of these annual duties payable by professions and trades? After excluding all licences on the sale of spirits—which I grant stand in a class by themselves—it is not less than £600,000 a year. Are we in a condition now to entertain the question? If my hon. and learned Friend thinks it necessary to obtain a declaration of the House on the whole question, well and good; but, if he complains of one injustice, do not let him engraft upon this system of annual duties another injustice, by drawing a distinction between those who are in the same predicament. Why should the autioneer pay an annual duty of £10, and the attorney be relieved from an annual duty of £9? Is there anything in the trade of an auctioneer that ought to be discouraged by this House? Why should the trade of a pawnbroker be taxed? We levy from him a sum of £30,000 a year. Who is he? He is the man who ministers to the first necessities in the matter of money of the lowest class of the population, and every farthing of what is drawn from the pawnbroker is taken from the pockets of the poor. Well, is that tax to remain, and shall we be doing an act of justice if we relieve a powerful profession, every member of which has access, and some very intimate access, to the Members of this House, and select them in preference to those who have a stronger and more urgent claim? Take the case of a hawker. We lay a tax of £48,000 upon hawkers. The whole of this sum comes from a trade which is pursued in minute details by men, hardly one of whom is worth £100 of capital in the world, and who drive their trade in the villages and among the peasantry of the country. Without closing my eyes to the objections against exceptional legislation of this kind, and which includes all these cases of annual taxation, I think that if the House is prepared to deal with one, it ought to deal with all. You may do it. You may modify the proposals of the Government with regard to the tea duty and the income tax, but I am afraid it is rather late. That is what ought to be done. You, too, ought to deal with all these duties which stand substantially in the same position, and not make an invidious selection of the claims of those who are the most powerful and wealthy, and, at a moment, too, when their influence is raised to its maximum by causes which it is unnecessary to mention. My hon. Friend says the question before us is whether this tax is to be permanently maintained. I have always disclaimed that issue, and I disclaim it now. There are taxes that must be permanent, but there is nothing in the question of the permanent retention of this tax that is not fairly open to the consideration of the House. But the question now is as to the abolition at the present moment and under existing circumstances. I think my hon. Friend failed in that portion of his speech as to the relative position of the annual duties paid by attorneys and the duty upon entrance. Above £100 is paid by a young man intending to become an attorney before he is admitted to practise his profession, and after he is admitted he pays an annual duty of £9 in London and £6 in the country. My hon. Friend says it is monstrous to exact £9 a year in London and £6 a year in the country, but that it is perfectly allowable to make him pay £100 before he can practise his profession. The education of an attorney is expensive, and we by our recent legislation have made it more so; and does it strengthen my hon. Friend's case to say that the grown-up attorney in practice ought not to pay an annual duty of £9 or £6, while the young man, almost a boy, before he can earn a farthing by his profession, should be compelled to make this heavy payment in advance? It is said that although he may be driving a profitable business one year, yet that his business may fall off another year. But so may an auctioneer's, or a pawnbroker's, or a hawker's. If you want to give relief, the true way is to look, first, at the case of these heavy taxes on admission, which are a tax in favour of the rich and against the poor, inasmuch as they require an advance of capital from the youth to the State, before he is allowed to carry on his business. That is a question which, if my hon. Friend ever proposes to deal with by a Bill, I shall feel it my duty to raise and argue at length. The House, meanwhile, will do well to avoid entangling itself with abstract declarations, which are worthless in the present, and embarrassing in the future. We have gone as far as we consider safe and desirable in the reductions we have to propose, and I am confident that the House will not call upon us or expect us this year to propose any further reduction.

MR. CRAUFURD said, that the House ought to know the circumstances under which the majority on the last division was obtained. There were two proposals for reduction of taxes before the House—the abolition of advertisement duty and of the duties now under discussion. The Chancellor of the Exchequer told the House that the Government could not afford to part with the money from both. The

House gave the preference to the abolition of the advertisement duty, and he (Mr. Craufurd), having been somewhat active in promoting the repeal of the advertisement duty, and having obtained what the right hon. Gentleman called a "snap division" in its favour, voted on that occasion against the repeal of the annual duty paid by attorneys.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 143; Noes 146: Majority 3.

Words *added*: — Main Question, as amended, put, and *agreed to*.

Resolved, That, in the opinion of this House, it is just and expedient that the annual Duty payable upon Certificates taken out by Attorneys, Solicitors, and Proctors in England and Ireland, and by Writers to the Signet, Solicitors, Agents, Attorneys, and Procurators in Scotland, should be abolished.

SUPPLY.

Resolved, That this House will immediately resolve itself into the Committee of Supply.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

WIDOWS OF WARRANT OFFICERS.

RESOLUTION.

SIR JOHN HAY said, he rose to call attention to the petition of Widows of Warrant Officers of the Navy, and to move that the cruel exception which deprived those who became widows prior to 1860 of any Pension is not approved by that House. The subject was not one of great importance, either as to the amount of money involved or as to the influence which the class of persons interested in it could command. But though they might have no influence on a general election, and their case had not created much interest in the community at large, yet he believed the justice and generosity of the House would be disposed to comply with their prayer. The Warrant Officers of the navy were a class whom that House was desirous to encourage. Persons who rose from before the mast to the rank of Warrant Officers formed the *élite* of our seamen, and it had always been the practice both of the House and of those who administered the affairs of the navy to encourage the best seamen to rise to that rank. There had been, however, considerable difficulty in inducing seamen to avail themselves of the promotion thus placed within their reach, and among the inducements held out, and wisely held out, was the grant of a pension to their widows. Up to 1830 the widows of Warrant Officers received a pension; but from 1830 to 1860 pensions were given them only under certain exceptional rules. These exceptional rules were made very much to his credit by the right hon. Baronet the Member for Portsmouth (Sir Francis Baring), who, when First Lord of the Admiralty, thought it hard that the widows of Warrant Officers who fell in action, or were drowned, should not receive pensions; and accordingly, in 1861, those who became widows in either of these ways were entitled to the boon. In 1859 the Royal Commission upon the Manning of the Navy took the whole matter into consideration, and they stated in their Report that Warrant Officers complained that their widows had been deprived of the pensions to which they were formerly entitled; and they said that they were of opinion that the benefit conferred upon officers of the higher ranks should not be withheld from those seamen who had risen to the rank of Warrant Officers, and they also recommended that the favour should be made retrospective. The Royal Commission were, therefore, of opinion that those who had become widows between 1831 and 1859 should receive pensions according to the rank their husbands held. In 1860, very much to the credit of the present Government, pensions were given, but not retrospectively, and the result had been that there was a class of persons, whose petitions he now held in his hand, who felt aggrieved, and were in bad circumstances in consequence of the pensions not being made retrospective. He would mention an instance. There were two Warrant Officers who had both served in the trenches before Sebastopol. One died, not in action, but of disease in India during the mutiny; the other lived to the year 1861, died without having served in the Indian mutiny, and his widow has received a pension, while the widow of the other had not. That was an instance of the way in which the rule worked unjustly. He believed that the Admiralty only required the sanction of this House to induce them to carry out the views of the Royal Commission, and to relieve from abject destitution the widows of those poor persons who had deserved so well of their country. The Commissioners had unanimously recommended that the pensions granted to the widows of deceased Warrant Officers should be retrospective; and the sum required to carry out this recommendation was so small that he hoped the Chancellor of the Exchequer, when the subject was fairly explained to him by the representatives of the Admiralty, would throw no obstacle in the way of doing this act of justice. In their petition the widows of the Warrant Officers stated—

"That in the generality of cases their husbands joined the Royal Navy at a very early age (in some cases below fourteen years of age), and by good conduct, bravery, and general ability, obtained promotion to the rank of Warrant Officers, which they held to the date of their decease, giving the utmost satisfaction to their officers, and assisting, as they believe, to uphold the dignity of their profession and the honour of the British flag.

"Your memorialists would respectfully mention that keeping in view the anxious wish of the Admiralty and your honourable House to elevate the social standing of the British Navy, their husbands expended all their earnings in maintaining a respectably-elevated position, their salaries being far below that at present allowed; but the consequence to their widows has been poverty, degradation, and wretchedness, consequent on the want of any provision being made for them at the death of their husbands, which has been accelerated by exposure in different climates and the various other contingencies belonging to their exposed position.

"Your memorialists respectfully pray your honourable House to examine the evidence taken before the Royal Commission for Manning the Navy and the recommendations of the Commissioners founded on that evidence, where they unanimously agree that the pensions granted to the widows of deceased Warrant Officers should be retrospective, and they venture on humbly appealing to you, as the representatives of the national honour as well as the guardians of its resources, that, as in justice they are proved to be deserving this consideration, so in mercy they require it to save them in their old age from perishing from want, or, what is nearly equal to a respectable person, to be forced to end their days in the pauper's home, the mark of derision to the scoffer, who points to their degradation as the reward obtained for the honest and manly defence by their husbands of their country's rights and liberties.

"And your memorialists, on behalf of about 100 widows similarly circumstanced, will ever pray."

Amendment proposed,

To leave out from the word "That," to the end of the Question, in order to add the words "the cruel exception which deprives those Widows of Warrant Officers of the Navy who became Widows prior to 1860 of any Pension is not approved by this House,"—(*Sir John Hay,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir JAMES ELPHINSTONE said, that the present Secretary for the Colonies (Mr. Cardwell) was mainly answerable for the terms of the Report agreed to by the Royal Commission, for he had drawn it up, and there never was a Report which received more general and stronger support from the House and from the country. He therefore claimed the aid of the right hon. Gentleman on their behalf. He had presented petitions on this subject from some of the widows of those Warrant Officers. They were the widows of men belonging to the class of all others which ought to be made most contented and respectable in the position they occupied. The Commission had reported in unmistakable terms that the widows' pensions should be retained, and that the restoration should be retrospective. At the same time, he was bound to say that these poor people did not look for full justice. All that they claimed was that henceforward they should receive pensions due to the rank of their husbands, but they would not look for the arrears of past years. As the opinion of the House could not now be taken, the House having divided once upon the main question and done justice to a more powerful body, he hoped the Admiralty would attend to the case and would not neglect the claims of the widow and the orphan, where the injustice was so flagrant and the amount of money asked for was so small.

Admiral WALCOTT: Sir, I rise with considerable satisfaction to support the claims to a pension in behalf of these distressed and friendless widows. I may be permitted to observe, in order to press this claim influentially, that the class of officers I advocate—the boatswain, the gunner, and the carpenter—are at all times selected by the captains of their respective ships for promotion not only on account of their good conduct, but also on account of their perfect qualifications and knowledge of the several departments of the service. They are deserving of every encouragement, and I express my earnest hope the Admiralty will not hesitate to do this act of justice to the widows of this deserving class of officers. Their widows are not many in number, the sum required is small, and year by year will become rapidly lessened by death.

Lord CLARENCE PAGET said, that he had a most painful duty to perform every year in resisting these demands upon the Exchequer, and in refusing to allow the retrospective operation of Orders in Council framed for the benefit of officers of the navy. If these claims were confined to a particular branch of the service, an exception might perhaps be made. But hon. Members must remember that this case of the Warrant Officers' widows was not a single one. In or about 1833 pensions were taken away from other classes of persons besides that now in question; and if the rule were relaxed in their favour, it would probably be followed by a claim for arrears, and certainly by a demand for pensions from other persons. ["Name!"] He disliked naming them, because it might induce them to come before the House with their grievance, but he referred to the dockyard labourers. [Sir JOHN HAY: They are not naval officers.] No, but they were public servants, and were as much entitled to consideration, being civilians, as naval officers were. It was quite true that the Royal Commission recommended that these pensions should be made retrospective. But that Commission was only dealing with one subject. They did not enter into the general question of financial policy involved in the claims of other classes. The Commissioners made their recommendation most honestly and conscientiously; but they did not consider that, if pensions were granted to the widows of Warrant Officers, the door would be open for another batch of grievances, which might involve the Government in considerable difficulties. The hon. and gallant Gentleman was mistaken in saying that pensions had been taken away from these widows. That was not the fact. All that had been done was to announce that after a certain date Warrant Officers' wives who became widows would not be entitled to pensions. Soon after he came into office the pensions were granted by Order in Council, and the right hon. Baronet the Member for Droitwich (Sir John Pakington) and others complimented the Admiralty for the efforts they had made on behalf of these widows; but neither the right hon. Gentleman nor any hon. Member opposite had thought of saying that pensions should be granted to persons who were at that time already widows. It would be an agreeable task to him to make application to the Treasury on behalf of these unfortunate widows, if it could be granted without any public inconvenience. But, taking a large view of the subject, and fully appreciating the kind motives of hon. Gentlemen opposite, he felt bound, on the part of the Government, to ask the House not to agree to this Motion.

MR. FERRAND said, he wished to call the noble Lord's attention to the Report of the Commission, and especially to the words "and we think that in fairness the payments should be retrospective." As the whole amount involved would not exceed £2,500 a year, he thought the noble Lord might undertake the agreeable task of applying again to the Admiralty on behalf of these unfortunate widows.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 62; Noes 42: Majority 20.

GOVERNMENT OF INDIA ACT.

OBSERVATIONS.

MR. GRANT DUFF: I had originally intended to put the proposal which I wish to submit to the House in the form either of a Motion or of a question addressed to the right hon. Gentleman the Secretary of State for India. But on examining the Government of India Act, I found that the India Office is already bound to lay upon our table a document so very similar to that which I meant to ask for, that I cannot imagine that anything further will be required than very briefly to call attention to the fact that neither the letter nor the spirit of the existing law, with regard to the information about India which is laid before us, is, or ever has been, complied with. After enumerating the various accounts which must be laid before us, the53rd section goes on to say that such accounts—

> "Shall be accompanied by a statement prepared from the detailed Reports from each presidency and district in India, in such form as shall best exhibit the moral and material progress and condition of India in each such presidency."

Now, I think there can be no doubt that these words point to a document of reasonable size, to a document certainly not larger than that famous minute of Lord Dalhousie's, in which he gave an account of the progress of India during the eight years of his rule. If the right hon. Gentleman admits my interpretation *cadit quæstio*, the India Office is already bound to do all that I desire, and will naturally put itself *en regle* as soon as possible. It is possible, however, though not, I think, probable, that the right hon. Gentleman may say that, although the letter of the law has been clearly broken, its spirit has been complied with. The practice of the India Office has been as follows:—Instead of preparing a statement from the detailed Reports according to the statute, and laying that upon the table, it has laid upon the table the detailed Reports themselves, just as they came from India. If the right hon. Gentleman, in addition to the statutable statement, chooses to give us these detailed Reports, it is well; but it is a work of supererogation. If, however, we are to choose between the Reports *in extenso*, and the statutable statement prepared from the Reports, I for one should infinitely prefer to have the statutable statement. That statement was meant to be read. These Reports can, to the immense majority of Members of Parliament, be useful only for reference. Their value, even for purposes of reference, is greatly diminished by our not having that guide through their mazes which the statutable statement would have provided. Most persons who have tried to read them will, I think, complain that they are blinded with excess of light, and overwhelmed with avalanches of information. Anyhow, the right hon. Gentleman will acknowledge that he has utterly failed in obtaining readers for these detailed Reports, when I remind him that, whereas, for several years they were laid printed upon our table just as they came from India, were then re-printed in two huge blue-books, and sent round to all Members, they were last year not even re-printed at all, so that one copy of the detailed Reports preserved in our Library, just as it came from India, represents all the information about the material and moral progress of that country supplied last year to the House of Commons under the provisions of the Government of India Act. This state of things is quite indefensible, for no one can defend the direct contravention of an Act of Parliament; but, even if the Act did not exist, it would surely not be expedient to refuse to give us the information for which I am asking. My proposal could not be resisted on the ground that there is any difficulty in drawing up such a statement. To do so would be to proclaim that there is not sufficient ability in the India Office. Such an assertion would, however, be perfectly monstrous. To mention the names of persons now serving there might be improper, but who that takes an interest in India does not know that the two Mills, father and son, were for many years employed in the India House, and what would not be the value of a series of say forty annual Reports drawn up by these two men? Nor could such a proposal be resisted on the ground of its being undesirable that the House of Commons should keep an eye upon Indian affairs. That doctrine, if still secretly cherished in some quarters, is no longer openly maintained by any one; and I am sure the right hon. Gentleman entirely repudiates it. There is no reason in the world why Indian questions should, if properly treated, be unattractive to the English public. Any man with ample command of materials, acquaintance with the country, and fair literary powers, ought to be able to produce an annual Report upon Indian affairs, which at least a third of the House of Commons would read, and which would be quoted and commented upon by the leading newspapers in England, in India, and on the Continent of Europe, and which would have at once the effect of bringing the enlightened opinion of this country to aid in the task of governing India, and of making our increasingly just and benevolent policy in the East better appreciated by France, by Germany, and by Russia; thus at once positively adding to our strength by the wisdom which comes from a multitude of counsellors, and negatively by diminishing the distrust with which our doings are regarded in Europe, a distrust which, although it is the offspring of ignorance, is for nations as well as for individuals, a distinct element of weakness. I cannot better express my view as to the nature of the document which is required than by quoting two or three lines from the last paragraph of Lord Dalhousie's Minute, which, after all limitations and deductions for self-gratulation have been made, and read even by the glare of the Mutiny, will keep its place as one of the noblest State Papers of modern times—

> "It would seem," said Lord Dalhousie, "that some few hours may be profitably devoted to a short review of eight eventful years, not for the purpose of justifying disputed measures, but for the purpose of recalling the political events that have occurred, the measures that have been taken, and the progress that has been made."

Wars, and foreign relations, acquisitions of territory, administrative progress, education, railways, the Post Office, agriculture, internal navigation, public works, improvement of the military service—such are only a few of the subjects which Lord Dalhousie treated at sufficient length in forty pages of the ordinary blue-book size.

The chronicler of a single year might easily put all that need be said in a considerably shorter compass. Lord Dalhousie thought that not the least useful of the measures, which had emanated from the Government of India under his rule, had been the resolution to require a Report from any governor, lieutenant-governor, and chief officer of a province, narrating the incidents that had occurred during the previous year in the country under his jurisdiction; and I am quite sure that not the least useful Act, amongst the many useful Acts, of the right hon. Gentleman's administration would be to cause to be prepared from these Reports, which Lord Dalhousie required, a clear, condensed Report upon the whole state of India for presentation to the House of Commons. Any opinion, however, which any of us may express with regard to the expediency of preparing such a document is really beside the question; for I must, with all respect to the right hon. Gentleman, maintain that, till the 53rd clause of the Government of India Act is repealed, the non-production of such a Report is a direct violation of the law.

MR. KINNAIRD said, he concurred generally in the views of the last speaker, and he thought, that neither in letter nor in spirit had the right hon. Baronet conformed to the Act of Parliament. The documents presented to Parliament were so bulky that they could not properly be called a statement. They were rather the documents from which the statutable statement ought to be compiled. The right hon. Baronet might demur to preparing such a digest himself; and even if he did not, his version might be supposed to be coloured. But would there be any difficulty in getting the Governor General to have a digest of the Report made under his own eye, in accordance with the spirit of the Act? He did not complain of the economy which had led to discontinuing the printing of bulky volumes which no one read; but the fact remained that there existed only one copy of the Indian Reports for the use of the House. If the right hon. Baronet would not agree to the suggestion to get an epitome made in India of the statistical details of the Reports now sent home, perhaps he would, at all events, get a larger number of copies, say fifty, sent instead of one, for the use of hon. Members who took a special interest in Indian matters.

SIR CHARLES WOOD said, that the hon. Member who had brought forward this question only did him justice in supposing that he did not wish to keep back any information from the House. He could only say that the Government had laid upon the table all the information they possessed on the subject. For himself, he confessed he had never till within the last few days looked at the clause in the Act of Parliament which had been referred to. It was passed upon the Motion of Lord Monteagle in the other House, and no discussion took place upon the clause in either House of Parliament; but he had never understood the words of the Act to mean that such a Report as the hon. Member had alluded to should be furnished. Some Gentlemen might like to have Indian reports in the shape of "reading made easy," but he did not think that Parliament should pay for the compilation. What he had always believed to be the intention of the clause was that the Government should produce, with respect to India, the same sort of blue-books as were presented yearly with respect to the colonies. This had always been done, and elaborate reports from all the provinces of India were yearly laid on the table. But he confessed he thought it was not consistent with the duties of the Secretary of State for India to compile a Report from those documents which would probably have more or less a certain amount of colouring. He should be happy to afford hon. Members information in the shape that would be most agreeable to them; but he really thought that an extract prepared from those important documents on the condition of India would not be the sort of thing to lay before Parliament. For himself, he entertained the strongest opinion in favour of having the original documents laid before both Houses. It had sometimes occurred to himself to find some material fact omitted from a *précis* which had been prepared for him; and he did not think the House ought to be satisfied if a *précis*, made in the office of the Secretary of State, and not the original paper, were laid upon the table. A great deal of useful information was contained in the district Reports from India, and he did not think that putting all these Reports together hodge-podge would be by any means a desirable arrangement. With regard to the distribution of the Reports, he had to observe that it was his duty to lay the Reports on the table; but whether they were to be printed and distributed was not a matter for him to determine. It was a question for the Printing Committee and the House themselves. If it was the wish of the House there would not be the least difficulty in having them printed, or a certain number might be placed in the library, and a copy could be given to each hon. Member who might apply for it. With a view to meet the wishes of his hon. Friend (Mr. Kinnaird), he should have great pleasure in directing that fifty copies, instead of one, should be furnished from India of the annual Reports, which were now sent; and next year (he could not promise this year), he hoped they would be at the disposal of those hon. Members who were chiefly interested in Indian affairs.

MR. DANBY SEYMOUR said, he understood that his right hon. Friend intended to disregard the Act of Parliament, which was very distinct in its provisions. He confessed he thought such a Report as his right hon. Friend deprecated would be very useful. It might be drawn without any especial colouring, and might furnish an account of what had been done in each Presidency in the increase of schools and railways, of any important events that might have occurred, or changes in the law, with a few remarks in the way of general information. The great defect of the present Reports was that they were too voluminous and published in a ver inconvenient shape. A Report was prepared some years ago by Mr. Melville of the India Office, which gave a very fair view of the progress of India during the period to which the Report related. He believed that if such a statement was now prepared, it would be read with interest by the Members of the House and by the public, and would tell beneficially on Europe and the rest of the world. He did not think it was right deliberately to disregard the provisions of the Act of Parliament, and he hoped his right hon. Friend would direct his attention to that point.

ARMY—RATING OF HOUSES OF OFFICERS.—QUESTION.

COLONEL NORTH said, he wished to ask the Secretary to the Treasury a question on the subject of the local taxation of houses occupied by officers of the army in the performance of their official duties. Early last Session he had brought the subject under the notice of his noble Friend the Under Secretary for War, who stated that it would be necessary for the authorities of the War Office and those of the navy to confer together on the subject, with a view to the adoption of a general system applying to both army and navy. About six weeks afterwards he made an inquiry as to this taxation, and was informed that the Admiralty were as much interested in it as the War Department, and it had been intended that the hon. Member for Halifax (Mr. Stansfeld) should confer with some one connected with the administration of the army; but, owing to circumstances with which the House were acquainted, the hon. Gentleman left the Admiralty. Later in the Session he moved an Address to the Crown on the same subject. The Under Secretary of the Treasury stated on that occasion that the matter was under the consideration of the Treasury in connection with the general question of the exemption of Government property from local taxation, and that in order to render official residences liable to assessment there must be a beneficial occupation. He was not, however, prepared to give a definition of what was regarded as beneficial occupation. Now, he must say that it was rather hard upon those officers that this definition had not yet been arrived at. But the hon. Gentleman the Secretary for the Treasury also made the extraordinary statement that it was advisable that the emoluments of officers should be fixed and certain, rather than be made up of uncertain emoluments from free quarters, free from rates. He (Colonel North) could understand the occupants of Hampton Court paying rates, but officers in the army were not in the same position. They were placed in quarters and must reside there whether the place was healthful or unhealthful, agreeable or disagreeable, in the performance of their duty. On the same occasion the Chancellor of the Exchequer said, that "the point as to the liability of these officers to pay rates ought to stand over for consideration until the general question had been brought to issue." The fairer mode would have been that they should not be called upon to pay till that was done. The first remonstrance by the officers of the army had been made, as far as he could discover, about five years since, and this question remained still undecided. These rates were no trifle. At Chelsea, he believed, they amounted to 2*s.* 4*d.* in the pound. He maintained that it was desirable to keep the officers of the army as much as possible apart from the duties which should exclusively appertain to civilians. The House knew perfectly well the nature of vestry meetings. For his own part, he believed that there were no assemblies where bad blood was sooner engendered. But if officers were called on to pay rates they could not, of course, be prevented from attending them. It was of great importance that they should be kept free from such influences. He hoped that his right hon. Friend would tell them that evening what beneficial occupation was, so that they might arrive at some satisfactory conclusion with reference to this disputed question. The law of the land was, he believed, on the side of those whose cause he advocated. It had been decided that an officer was exempted in respect to reasonable occupation by himself and family, but in the case of officers commanding large garrisons, such as Plymouth, Portsmouth, and Chatham, it was absurd to think of limiting them to two or three rooms. It would be impossible under those circumstances to expect the honour of the country and the dignity of the service to be duly upheld. Recently he believed that seventeen or eighteen officers had appealed against the local rate. The cases came on for trial at Maidstone, and it was determined that four of them should be gone into and the decision be regarded as binding upon the remainder. The result was that the magistrates quashed the rates with costs, and the parish had appealed to the Queen's Bench. He did not think, however, that it was fair that the officers should be put to the expense of defending such cases. He was glad to say that the Horse Guards and the Admiralty took a more liberal view of the subject than the War Department. One officer out of the small pay he received paid £12 6*s.* in the shape of local rates, independent of the house duty and income tax. Marines and sailors had reason to be thankful for the manly way in which their interests were protected by the Admiralty; but the army were by no means under similar obligations to the War Office. They had been treated in a very shabby and improper manner. At Chatham the general officer commanding the troops had to pay rates, while the officer in command of the Marines and of the Fleet paid none. He begged leave to ask the Secretary to the Treasury, Whether any decision has been arrived at as to the exemption from Local Taxation of Houses occupied by Officers of the Army in the performance of their official duties?

MR. PEEL said, he could answer the question of his hon. and gallant Friend. There was not now, and, as far as he knew, there had not been at any time any question awaiting decision at the Treasury as to the exemption from local taxation of houses occupied by officers of the army in the performance of their official duties. The fact was it was open to any occupier of a house, whether an officer of the army or otherwise, to maintain that the house he occupied was not liable to be rated to local taxes; but the decision upon the liability or non-liability of that house rested not with the Government, but entirely with the courts of law. He was quite aware that, as a general rule, the occupation of a residence for official purposes did not constitute a beneficial occupation; but the application of that rule to any particular case must of course be a matter for argument, and it was for the courts of law to decide, when the question was brought before them, whether the occupation was beneficial or not. The officers' houses at Chelsea Hospital were rated, but that was in consequence of the provisions of a local act. Within the last week the Court of Quarter Sessions at Maidstone had decided that some residences at Woolwich were not liable to rates. There had been conflicting decisions; but he knew no means of getting rid of the difficulty except by passing an Act declaring that houses occupied for official purposes shall not be liable to local rates. That question, however, had not been under the consideration of the Government, and, as at present advised, they had no intention of proposing such a Bill. The question had been under consideration for a year or two whether the rates of houses liable to rates, occupied by officers in the performance of official duties, should be paid by the officers or by the Government. The course of the Government was not uniform. The Admiralty appeared always to have repaid to their officers the rates which in the first instance had been paid by them. The War Department required officers to pay the rates themselves. The matter had been considered by a Committee; and the Treasury had expressed an opinion that the course pursued by the War Department was preferable. No doubt it was very desirable that the Government should pursue a uniform course, and the matter was still the subject of correspondence; but, at the present moment, the Treasury did not see fit to alter the conclusion at which they came last year—namely, that the practice of the War Department was preferable to that of the Admiralty. If the officers themselves were rated they would, no doubt, take an interest in parish matters so as to keep down the rates; and if the Government paid the rates they would have no means of doing anything of the kind, nor of seeing that the property was not rated beyond its value. Where new appointments were made officers would themselves pay the rate charged on their residences.

COLONEL **NORTH** said, he wished to know whether the houses in Downing Street paid rates. Did the Chancellor of the Exchequer pay rates on his official residence, or, if paid, were they paid out of the Exchequer?

COLONEL **DUNNE** said, he thought the answer which had been given to his hon. and gallant Friend was anything but satisfactory. Officers on entering the army were led to believe they would get free quarters; and he thought the practice which his hon. and gallant Friend reprobated was neither more nor less than a breach of good faith, and far from creditable to the War Office. The Admiralty kept faith with their officers—why should not the War Office do the same?

LUNATICS IN GAOLS, &c. (IRELAND).

QUESTION.

MR. **MACEVOY** said, he would beg to ask the Chief Secretary for Ireland, Whether it is intended to provide asylums for dangerous lunatics and insane persons now confined in Gaols and Workhouses in Ireland; and also whether it would not be advisable to give magistrates in Ireland the same power possessed by magistrates in England of committing dangerous lunatics to the County Asylum, instead of compelling them by law to commit them to gaol as at present? The hon. Member added that there were 16,000 lunatics in Ireland, 8,000 of whom were at large and 8,000 confined in gaols, workhouses, and asylums There were at present in the gaols 669 who had been committed as dangerous lunatics; and a very large proportion of these had remained in prison for a considerable period. The confinement of lunatics in gaols had been condemned by the Inspectors of Asylums and of Prisons; and the fact was that lunatics were not efficiently looked after in gaols, and the discipline of the gaols was much interfered with by having lunatics there, and the difficulty of management was increased. The last Report of the Inspectors of Lunatics recommended that the Irish system should be assimilated to that of England. It had long been expected that Government would bring in a Bill to remedy the evil; and in 1859 Lord Derby did bring in such a Bill, though he did not remain in office long enough to carry it. Last year there were 2,455 lunatics in workhouses, many of whom would no doubt be cured under the proper treatment to be had in an asylum. He knew that six asylums were now being built, but this would not cure the evil unless the magistrate had power to commit lunatics to those asylums.

SIR **ROBERT PEEL** said, that the Government was supplying, as fast as possible, the want of accommodation for lunatics in Ireland by building new asylums. They were building six in addition to sixteen already existing. It was very wrong to commit lunatics to gaols, but it arose from want of accommodation. Even under the present arrangement, whenever a lunatic was certified by the proper medical officers of the gaols to be dangerous, he was, if possible, at once removed to a lunatic asylum. The Mullingar case, to which the hon. Member had referred, where ten dangerous lunatics had been committed to the gaol, when there was accommodation in the asylum, could only have arisen in the ordinary course adopted in Ireland, which was to commit lunatics to gaol on the advice of a medical officer till the Government was communicated with, when the lunatic, with the least possible delay, was transferred by the Lunatic Inspector to an asylum. When the six new asylums were built the accommodation would be sufficient, except as regarded the Richmond district, in Dublin. Returns of the Ballinasloe district, which comprised the counties of Roscommon, Galway, and Mayo, showed that eighty-three lunatics were confined in the gaols at Galway, Roscommon, and Castlebar. In a short time the asylum at Castlebar would be open, and that would accommodate the counties of Roscommon, Galway, and Mayo. It was true that the magistrates committed lunatics to the gaol in the first instance, but on the Report being made to the Government the lunatics were transferred as soon as possible to the asylum in the district. The hon. Gentleman wanted magistrates in Ireland to have the same power as in England of committing dangerous lunatics to the asylum of the county to which they belonged;

but in Ireland there was a want of accommodation which the Government were doing all in their power to repair. The course which had been adopted in Ireland, however, of committing a dangerous lunatic to gaol was cheaper for the counties than the process of sending him to the Sessions as a criminal lunatic. In their Report of last year the Lunacy Commissioners entered very fully into the matter, and he thought everything was now being done to remedy the defects of past years. In the course of two years and a half every one of these district asylums would be completed, and they would accommodate all the criminal lunatics now in gaol or that would be committed to gaol. In the Dublin district the Government had found some difficulty in getting the county of Wicklow to agree to their terms, and the matter was still under consideration.

Mr. BLAKE said, he wished to point out the dangerous consequences which ensued from the committal of lunatics to prisons constructed for the separate system without a large common room in which different prisoners could meet together. He thought that, considering the importance of placing dangerous lunatics under proper treatment in the earliest stages of their malady, the magistrates in Ireland should have the power of sending them in the first instance to the asylum instead of the gaol. In some cases where there was plenty of room in the asylum these men were kept in gaol for a fortnight. He hoped the right hon. Baronet would have no objection to insert in the Bill which was to be read a second time for the regulation of such asylums a clause to carry out the views of the hon. Member for Meath.

Sir COLMAN O'LOGHLEN said, he admitted that it would be desirable to give the magistrates in Ireland the same power as they had in England; but up to the present time this was impossible. When the new asylums were constructed the Government could bring in a Bill to assimilate the law of the two countries.

CIVIL SERVICE ESTIMATES.

Mr. AUGUSTUS SMITH said, he desired to have some explanation from the Chancellor of the Exchequer or the First Commissioner of Works upon a matter connected with the Estimates which they were about to consider. They were told that an extra Estimate would shortly be introduced relative to the new Gallery to be erected somewhere or other for certain collections in the British Museum. Last year the country had to pay upwards of £3,000 for designs for certain buildings that were projected at South Kensington, to which certain of these collections were to be removed, but which the House did not think fit to approve. It appeared that the Government were now having similar plans prepared; and he thought the House ought to have an opportunity of deciding whether it would sanction the transfer of these collections from the British Museum to Brompton. It was hardly respectful to the House that a statement should not be made upon the Civil Service Estimates, similar to that which was always made upon those for the army and navy. According to the short analysis of these Estimates, there appeared to be a saving of £13,000 this year, but the fact was that that apparent saving would be swallowed up by the Votès for public buildings, which it was understood were to come before the House. Nor, indeed, ought the comparison to be made with the Estimate of last year, but with the actual expenditure, in which case the apparent diminution upon the Estimates of this year would entirely disappear. The actual expenditure upon the Civil Service up to the 31st of March last was £7,257,000 while the Estimate for this year was £7,624,000; and if to this Estimate the sums allowed out of the Consolidated Fund were added, it would appear that for Civil Service purposes there was an increase of £2,000,000 over the expenditure for 1854. From a Return of the increase and diminution of the expense of the public offices it appeared that during the year 1864 there was an increase of £132,000 and a decrease of £52,000, showing a net increase of £80,000. He should like to have some explanation of these various matters.

Mr. PEEL said, that having already spoken upon this Question he was unable to give the hon. Member the explanation which he desired.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee:—Civil Service Estimates—

Class II.—Salaries and Expenses of Public Departments.

(In the Committee.)

(1.) £76,000, Harbours of Refuge.

Mr. AUGUSTUS SMITH said, he hoped the right hon. Gentleman (Mr. Peel) would be able to give the Committee some information with regard to the damage done to the Works at Alderney.

Mr. PEEL said, he had already stated that evening that the engineers of the works in question had reported two breeches in the wall during a great storm. They stated, however, that the base of the wall, which was the most important part of the structure, had received no injury, whatever. The expense of repairing the damage would amount to about £15,000, half of which, as it was the result of a storm, would fall upon the contractors under the terms of their contract.

Vote *agreed to.*

(2.) £49,930, for Holyhead and Portpatrick Harbours, &c.

In reply to Mr. O'Reilly,

Mr. MILNER GIBSON said, that Holyhead Harbour was completed for the reception of passengers and mail packets.

Sir COLMAN O'LOGHLEN said, that the Irish mails were very irregular, and the letters were not delivered until ten or eleven o'clock in the day. He asked when the Returns moved for by the hon. Member for Cork would be laid before the House?

Mr. PEEL said, the elaborate nature of the Returns had caused a delay in their production.

Vote *agreed to.*

(3.) £70,677, to complete the sum for Public Buildings in Ireland.

(4.) £3,000, to complete the sum for New Record Buildings, Dublin.

Sir COLMAN O'LOGHLEN said, that he understood it was not intended to complete the whole of these buildings internally at present, but he believed that the cheapest plan would be to complete them at once.

Mr. PEEL stated that the buildings were completed externally, but it was not thought necessary to go to the expense of fitting up more than four-tenths of the interior until it should be all required for use.

Vote *agreed to.*

(5.) £813, National Gallery of Ireland.

(6.) £19,474, Lighthouses Abroad.

In reply to Mr. Finlay,

Mr. MILNER GIBSON said, that the lighthouses at the Bahamas were entirely supported by Parliamentary Votes. The other side of the Florida channel was extremely well lighted by the American Government and at the service of our shipping free of expense. With respect to the Little Basses Light ship, it was intended to make her self-supporting. Her only value was to ships passing to the Bay of Bengal, and it was thought desirable to levy a small due on all ships benefiting from that light.

Mr. AUGUSTUS SMITH said, he was glad to hear that some tolls were to be levied for these lights, for it was monstrous that the people of this country should be taxed for them. In the Bahamas there were no less than eight lighthouses, and he should like to have some explanation with respect to the new lighthouse which had been erected there at a cost of £7,500.

Mr. DANBY SEYMOUR said, he wished to know whether any portion of the charge for the lighthouse at Ceylon was borne by that Island or by the Indian Government? He was in favour of doing away, as far as was practicable, with passing tolls, but then he did not think it right that the expense of maintaining a lighthouse at Ceylon should be defrayed altogether by this country. It was only fair that the Indian Government should pay half.

Mr. MILNER GIBSON said, that the prrticular portion of the Vote to which the hon. Gentleman referred was for the maintenance, not of a lighthouse, but of a lightship at Ceylon, and that it was intended to make her as far as possible self-supporting. Ceylon had no special local interest in the keeping up of the vessel, which was chiefly of service to the shipping passing up the Bay of Bengal. The Indian Government had, he believed, declined to contribnte towards the cost of the lightship, and it appeared to him but fair that the power should be exercised of levying dues on all ships which were benefited by her light. It would, he might add, be necessary to incur some further expense in that quarter in providing a spare ship to be made use of in case of accident. In answer to the hon. Member for Truro (Mr. Augustus Smith), he might state that it had been found expedient to have a new lighthouse at the Bahamas owing to the dangerous nature of the channel navigation.

Mr. DANBY SEYMOUR said, that being of opinion that some portion of the expense of the lightship at Ceylon should be borne by the Indian Government, he should move that the Vote should be reduced by half its amount.

Vote *agreed to.*

(7.) £4,000, Lunatic Asylum, Isle of Man.

MR. AUGUSTUS SMITH said, he wished to ask how it was that, the Vote having been rejected by the House last year, it was again brought forward by the Government in the present Session?

MR. PEEL said, he attributed the rejection of the Vote last year partly to his not having explained the circumstances under which it was introduced with sufficient clearness, and partly to the fact that the correspondence, which would have furnished a full explanation, had not been laid on the table of the House. That correspondence, however, had since been produced, and it would be seen by it that in 1858 the condition of the criminal pauper lunatics in the Isle of Man having been brought under the notice of Mr. Walpole, at the time, Secretary for the Home Department, he had called the attention of the local authorities to the subject, and that the result was an application to the Treasury, who had undertaken to pay half the expense of erecting a lunatic asylum in the island, provided the authorities there would undertake the payment of the other half. The House of Keys, availing themselves of that offer, had passed a Bill for the purpose of making the necessary valuation of property with the view to raise their share of the money, and the Government, under the circumstances, deemed it to be their duty to carry into effect their part of the arrangement by proposing the present Vote. The Vote, in fact, was only the appropriation of a portion of the surplus revenue of the Isle of Man, which amounted to £10,000 or £12,000 a year, which was paid into the Imperial Exchequer. It was also thought that the island was entitled to this Vote because the Crown had bought the sovereign rights of the island.

MR. FINLAY said, he did not see on what ground the Isle of Man should be placed on a footing different from that of Scotland and all other parts of the Kingdom, which were obliged to pay for lunatic asylums out of their own local taxes. If Scotch accounts were balanced in the same way as the Secretary to the Treasury proposed in the case of the Isle of Man, it would be found that Scotland also had a large surplus revenue.

LORD JOHN BROWNE said, he wished to ask, whether the county Mayo, which was at present spending £30,000 for purposes exactly similar to those covered by this Vote, would receive any assistance out of the public funds, if an application to that effect were made. In what did the difference between this portion of the Kingdom and the Isle of Man consist? He asked the right hon. Gentleman the Secretary of the Treasury if he thought the House was bound to pass this Vote because the Government had promised to recommend its adoption. He did not see why the House should this year reverse the Vote of last year.

MR. PEEL said, the Isle of Man had a Legislature of its own. There was a great distinction between the Isle of Man and the county of Mayo. When the sovereign rights of the Duke of Atholl were bought, it was thought equitable that the surplus revenues should be paid into the Exchequer. In his opinion this was a special case for the grant of public money. Before, the revenues of the island belonged to it, and were expended there, and it appeared no more than justice to expend now a portion of those revenues upon the local wants of the place.

MR. DANBY SEYMOUR said, the proceeds of the Customs duties in this country were applied towards sustaining the general burdens, and unless the Isle of Man were prepared to maintain an army, navy, and police of its own, it ought to contribute towards the maintenance of these national forces before it could claim any surplus revenues. The fact of there being a surplus of £12,000 a year showed that the Isle of Man was wealthy, and had a good trade, and it surely could afford to pay for its own local expenses, as well as any other part of the Kingdom.

MR. FINLAY said, the Customs duties in the Isle of Man were not of the same amount as those in the rest of the United Kingdom. £300,000 were spent some years ago as a gross job in acquiring the sovereignty of the island, and now the Committee were asked to perpetuate a system thus inaugurated.

MR. POLLARD-URQUHART said, he must protest against the doctrine that because sovereign rights had been acquired by the State over any portion of its proper dominions it was bound to spend in that portion of its territory whatever surplus revenues might arise therein. Such an agreement had once existed in Hanover, but at that time Hanover contributed largely to our military strength in time of war.

SIR GEORGE GREY said, he did not know whether hon. Members had read the letter from the Governor, in which it was pointed out that the measures proposed to be carried out had been approved by three Governments. On the faith of that the local Government had raised a considerable sum. The asylum would contain accommodation for criminal as well as pauper lunatics. Even in England and Ireland the State defrayed its share of the maintenance of criminal lunatics.

Lord JOHN BROWNE said, nothing would be easier than to overcome the difficulty last suggested by removing the criminal lunatics from the Isle of Man to Dartmoor, or the nearest establishment of a suitable kind in the United Kingdom.

Mr. Alderman SALOMONS said, that some compromise should be adopted in this matter. The House, he thought, would not haggle with so small an island for a few thousand pounds if, as suggested, the national faith was pledged to the expenditure.

Mr. O'REILLY said, it was important to ascertain how the faith of the country stood pledged, if at all. If an undertaking by a Secretary of State that he would propose a particular Vote to the House amounted to a pledge on the part of the country to grant the money asked for, the Committee of Supply might as well abandon its functions at once. He wished to understand distinctly from the right hon. Gentleman whether the statement that the Isle of Man possessed a revenue and a Legislature of its own, was to be taken as a declaration that the Isle of Man undertook its own defence, and would not make any call on the national forces. The colonies paid towards the Imperial expense incurred in their military defence. The Isle of Man was a part of the Empire, with a local Legislature, but it did not pay for its own defence. The House could not admit that it was bound by any engagements which might have been made by any Member of the Government as to the payment of this money.

The CHANCELLOR of the EXCHEQUER said, that no Member of the present Government would presume that he could bind the House beforehand to any Vote of money. The authorities of the Isle of Man, however, had reason to expect, from the assurances, first of the late Sir George Lewis, and afterwards in still stronger terms of the Government of Lord Derby, that the Vote now before the House would be recommended and supported by the Government. Did the Parliament of this country treat the Isle of Man with greater liberality than the colonies? The hon. and gallant Gentleman who spoke last was in error in supposing that the colonies contributed towards their own military defence. The rule had been that they did not so contribute, and the contrary principle was only of partial and recent adoption. He believed that the Isle of Man paid over to the Imperial Exchequer a larger proportion by far than any other dependency of the Empire. The dependencies which in many respects it most resembled were the Channel Islands. The latter had an independent Legislature, but they did not contribute a farthing to their own defence, while the Isle of Man paid over one-third of the whole revenue to this country. The Channel Islands were so far favoured that they received grants from the Privy Council for their schools, without contributing a farthing to the fund from which those grants were taken.

Mr. BLACKBURN said, he saw no reason why the lunatic asylums of the Isle of Man should be paid for out of the Imperial Exchequer. The Vote was refused last year, and that, in the absence of any new arguments, was a very good reason for refusing it again.

Lord JOHN BROWNE said, that if hon. Members would read the note appended to the Estimate they would find that the probable cost of this building was about £20,000, in addition to £2,016 for the purchase of the site. Half the amount was to be provided by Parliament, and the other half by the island. The House was now asked to vote £4,000, which was one-half the cost of the site, and of such portion of the work as would be paid for within the year. The correspondence was laid before Parliament in 1864, and he wished to know why the Government did not take the opinion of the House on this subject at an earlier period.

Sir COLMAN O'LOGHLEN said, he agreed that the expenses of lunatic asylums were generally borne by local rates. An objection to this Vote, however, came with an ill grace from Members for Scotland, for the very next Vote was one of £20,000 for Courthouses in Scotland. In Ireland the latter expenses were defrayed out of county rates.

Colonel DUNNE said, he thought it quite right to restore to the Isle of Man £13,000 of the money taken from the island in taxes, but the Government forgot that they drew £4,000,000 out of Ireland.

Motion made, and Question put,

"That a sum, not exceeding £4,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1866, towards the erection in the Isle of Man of an Asylum for the reception of Criminal and other Lunatics."

The Committee *divided:* — Ayes 49; Noes 33: Majority 16.

Vote *agreed to.*

(8.) £20,000, Sheriff Court Houses, Scotland.

MR. BLACKBURN said, he wished to ask for some explanation of the large sum of £38,000 for the Sheriff's Court of Edinburgh, which was not larger than other Courts in various parts of Scotland.

THE LORD ADVOCATE said, it had been very difficult to obtain a site, and though the sum was large, it was not larger than the necessities of the case required.

Vote *agreed to.*

(9.) £27,000, Rates for Government Property.

COLONEL DUNNE said, there was no ground for assisting local rates in England out of the Consolidated Fund when nothing of the kind was done in Ireland.

MR. M'MAHON said, it was only within the last few years this Vote had been proposed. It was an enormous advantage to the people of Greenwich to have Government establishments there. Would the hon. Members for Greenwich and Woolwich be content to-morrow that those establishments should be transferred to the Shannon or the Cove of Cork? If the establishments were removed to Ireland, and grants were asked in aid of local assessments, there would not be the least chance of getting them. Government establishments prevented pauperism. He should oppose the Vote, and if encouraged would go to a division upon it.

MR. ALDERMAN SALOMONS said, the Committee that sat upstairs had settled the question of Government rating. His hon. and learned Friend (Mr. M'Mahon) spoke of the advantage of Government establishments. But in the parish of St. Nicholas, Deptford, where the dockyard was, the rates were 12*s.* in the pound. Was there anything like that in Ireland? In Woolwich, also, where the Government occupied the best part of the river frontage the rates were exceedingly high. Of late years various improvements in drainage, lighting, and other matters had been introduced for the whole district, and would it not be monstrous that the Government occupying lands for the benefit of the nation should not contribute to the expenses incurred? Who wore the roads? Why the artillery, and the people paid for them. Were the Government of this country so poor that in places where they possessed these large establishments the inhabitants should light, watch, pave, and make sewers, and the Government pay no rates? The fact was that this Vote was miserably small and inadequate, and ought to be increased.

MR. WHALLEY said, he thought that the Government establishments at Woolwich added more to the value of the property in their neighbourhood than that property was depreciated by the additional poor rate at which it was assessed.

SIR JAMES ELPHINSTONE said, that this £27,000 could surely not be the whole sum to be contributed by the Government in aid of local rating.

COLONEL FRENCH said, he wished to ask, whether it was intended that any portion of the money should be applied in payment of rates in Ireland or Scotland?

MR. PEEL said, that no distinction was made between England and any part of the United Kingdom. There were two heads into which this Vote was divided. The first related to property newly acquired by the Government. With regard to this property, the Government indemnified the parish against any loss sustained by its transfer from private hands to those of the Government, and the same rates were paid as it would have been liable to if it had remained private property. But there was this condition — that the rateable value should continue the same as it was when the property was acquired by the Government. That course, he thought, satisfied every claim which could be preferred by the parishes concerned. It was true that the parishes lost the advantage of any increasing value, but this was a conjectural estimate, and you must take into account the benefit conferred upon the district by the large scale of Government expenditure. In such an arrangement the Government were fortified by the authority of Parliament, this being the rule laid down with regard to purchases made for fortification purposes. The other head referred to property long in the possession of the Government. That property had always been exempted from rating, and the Government thought this exemption ought to continue, and that the present body of ratepayers had no right to the benefit asked for by them, they having acquired their property in the parish knowing that the Government property there paid no rates. The only exception to the general rule thus laid down of maintaining the non-liability of this class of Government property was where the proportion of that property to the rateable property of the parish was very large. This proportion as recommended by the late Sir George Cornewall Lewis, was fixed at one-sixth, and he thought that such an arrangement would meet the claims of the parishes on account of any burdens which might devolve on them owing to those Government establishments.

Sir JAMES ELPHINSTONE said, he thought that the recommendation of the Committee, which was presided over by the late Sir George Cornewall Lewis, should be carried out, and the rating of Government property be regulated by Act of Parliament. At present it was altogether an arbitrary matter.

Mr. LOCKE said, he must remind the Committee that, with ordinary persons, it was the quarter sessions which decided upon the rating, but the Government claimed to assess themselves. The Committee which had been referred to came to the conclusion that Government property ought to be rated upon the same principles as the property of individuals; but now the Government asked the Committee to vote this sum of £27,000, as representing the total amount it should contribute to the rates for all its property in the United Kingdom. Such a proposition was absurd, and he hoped that next Session the question would be dealt with in a more satisfactory manner.

Sir JERVOISE JERVOISE said, his attention had been drawn to the inadequate contributions which the Government made to the rates of those districts in which their great establishments were situate. In the principle of exempting Government establishments from local rates on the ground that they benefited the district in which they were situated were carried out, every large private establishment ought to be exempt also. Whatever advantages resulted to certain districts from the presence of Government establishments, those advantages were counterbalanced by the consequent disadvantages.

Admiral DUNCOMBE said, that hardships did arise to individuals from the present system, but it must be recollected that the system was not one of to-day, but had existed for a long period of time, and to call upon the Government to contribute to the rates on account of all these establishments, in the same proportion as individuals, would impose a charge upon the public purse that would affright the Chancellor of the Exchequer; and, in fact, would lead only to taking out of one pocket to put into another. It might, indeed, render it necessary to re-impose a part of the income tax which had been taken off. He hoped, however, the subject would be fully considered in a future Session.

Sir BROOK BRIDGES said, he wished to ask for some explanation of the different modes of assessment adopted by the Government.

Mr. PEEL said, the difference consisted in the fact that the Government did not think they ought to pay upon the same principle in places where the property had been long in the possession of the Government as in places where property had been recently acquired and thus transferred from ratepaying occupiers to them.

Mr. M'MAHON said, he thought that the same principle of contributing to rates should apply to every part of the United Kingdom.

Vote *agreed to.*

Mr. HADFIELD moved that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Hadfield.*)

Sir GEORGE GREY said, he hoped the hon. Member would not persist in his Motion. It was early, twenty minutes to eleven, and if, as was supposed, Parliament was to rise in the second week of July, some progress must be made with the Estimates with which at present they were very backward.

Mr. HADFIELD said, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

(10.) £51,064, to complete the sum for the Houses of Parliament.

Mr. AYRTON said, he saw a charge in the Estimate for the attendant on the ventilation of the House. That individual was paid by the country for pumping cold and unwholesome air into the House to circulate about the feet of hon. Members to such an extent that it was impossible for hon. Members to remain in it in the early part of the Session, and it was the most cruel thing possible to ask the House to vote anything for his salary. The House was kept in such an uncomfortable state that some hon. Members were unable to remain for the night, and others were obliged to retire to warm themselves to enable them to return to their duties. The House was made so injurious to health that hon. Members suffered very considerably in consequence. When the east wind was blowing it was thought in this country to be a very comfortable thing to get inside a building; but in that House the east wind blew as disagreeably as it did outside. Some attributed the disagreeable state of the House to the gas in the roof, but that was a very curious idea, when in truth the whole evil was caused by the cold air that was blown into the House from below. The sooner the nuisance was got rid of the better.

MR. WHALLEY said, he had made a personal application to the officer in question, and his reply had been very unsatisfactory. He (Mr. Whalley) could not do his duty, although he had tried his best, and the effect of the present arrangements was to drive away all the independent Members. He understood the law of nature to be that the upper stratum of air should be cooler than the lower, in order that the impurities of human breath and other impurities might be carried off. But in that House they had created an artificial heat above. The system of ventilation adopted in that House was the cruellest form of despotism ever invented. Instead of allowing the hot air to escape they sent it down on hon. Members. He had been up above and down below, and really—speaking for himself—he could not stand it. Whether it was by creating an artificial heat above or forcing in artificial east winds from below he could not say, but the system of ventilation was fundamentally wrong; and nothing could be more deliberately ruinous to the health of independent Members.

Vote *agreed to.*

(11). £39,488, to complete the sum for the Treasury.

MR. HUNT said, he wished to call attention to the large expenditure for messengers, not only in this, but in all the public Departments. The sum asked for the expenses of messengers in all the public Departments in London was no less than £34,794. When he had occasion to make any communication to a public Department he usually intrusted it to the post, and he generally found that it arrived safely; but whenever he received an answer it was delivered by a messenger. Why could not the Departments make use of the Post Office in the same way instead of having such a multitude of messengers, many of whom were lounging about doing nothing. If the Chancellor of the Exchequer would turn his attention to the subject he would find that at least one-third of the staff would be quite sufficient.

MR. AUGUSTUS SMITH said, he wished to ask why it was necessary to come to that House for Votes on Account if the salaries were due at the end of the quarter?

MR. PEEL said, the salaries were paid at the end of the quarter, but by the recent Appropriation Acts it was impossible to use any of the unappropriated balances, and consequently he was obliged to come to that House for a Vote.

Vote *agreed to.*

(12.) £20,188, to complete the sum for the Home Office.

MR. HUNT said, he wished to ask how it was that in the Vote for the Treasury the number of messengers employed, and the salaries given, were stated in detail, and a lump sum taken for the Home Office?

MR. PEEL said, that the latter sum was limited to the Home Office alone; whereas in the Treasury it included those employed in the Chancellor of the Exchequer's Office also, and they required to be separated.

MR. HUNT said, he did not see why the details could not be given in both cases.

MR. PEEL said, they should be given next year.

Vote *agreed to.*

(13.) £48,885, to complete the sum for the Foreign Office.

MR. DARBY GRIFFITH said, that as we had adopted a policy of non-intervention—of never assisting our friends, and of letting any injustice go on in any part of the world—the time had come when some of our Foreign Office machinery might be dispensed with. In the new path of peace on which we had entered we had neither to defend our territories nor raise a finger when treaties are broken. The only object of our diplomacy had hitherto been to prevent other nations from going to war. Nobody ever proposed seriously to attack us; the only way in which we ever got into wars was by defending our friends, and if we had made up our minds to let our friends take care of themselves, and let foreign nations go on cutting each other's throats within sight of us without interfering, we might as well get rid of some of the expense which our diplomacy caused us. ["Move, move!"] Certainly not; he was not going to do anything so invidious. His hon. Friend opposite the Member for Southwark (Mr. Layard) had now quite a sinecure in his post of Under Secretary for Foreign Affairs. In former times he had had occasion to trouble him very frequently; but latterly he had not had occasion to ask him a single question.

Mr. WHALLEY said, that in reply to the observations of the hon. Member for Devizes, he would say that the question of the maintenance of our Foreign Office did not depend upon the adoption or not of the principle of non-intervention in the affairs of other nations. The voice of history warned us that so long as this country maintained its Protestant principles and remained the great bulwark of civil and religious liberty, it must always expect to have arrayed against it the animosity of States which had a different policy. This country was an asylum of persons who for their political or their religious principles had to leave the land of their birth, and as long as we desired to have England pre-eminent in upholding the principles of civil and religious liberty we must maintain our Foreign Office.

Vote *agreed to*, as was also,

(14.) £23,658, to complete the sum for the Colonial Department.

(15.) £13,824, Privy Council Office.

Sir JERVOISE JERVOISE said, that he did not think the country got value for the £1,500 paid to the Medical Officer of the Privy Council. Considerable sums had been spent on experiments connected with vaccination. He thought that the experiments and Reports of the medical branch of the Department were superficial, and the conclusions come to empirical and not satisfactory.

Colonel DUNNE said, he wished to know was this medical officer the gentleman who had made the very elaborate Report which had been used by the Government in the recent debates on the Poor Laws, and who seemed to have a very slight acquaintance with truth. If so, the salary ought to be stopped. In referring to that Report his observation was founded on the statements made by hon. Members in the course of the debate.

Mr. H. A. BRUCE said, that the document referred to was not penned actually by an officer of the Government, but by a gentleman specially employed for the particular duty. He (Mr. Bruce) was not then prepared to accede to the criticizms passed by certain hon. Members upon it. He should on Monday have an opportunity of conferring with Dr. Hunter, when, he believed, he would be able to show the House that the charges directed against that gentleman were made under a misapprehension. He (Mr. Bruce) referred especially to those of the noble Lord the Member for North Leicestershire. He must say, that he know no more able nor hardworking officer than Dr. Simon, who had already conferred the greatest benefits upon the public by his inquiries, which had been attended with the best results to the public health. He believed that those inquiries ought to be continued by that gentleman.

Sir WILLIAM JOLLIFFE said, he concurred in the opinion that the Privy Council should have the means of prosecuting these local medical inquiries. But the question for consideration was whether the expenses were not exorbitant for what they obtained. It was well that the Board of Health was done away with, inasmuch as it had made foolish Reports, which invited the severest criticizms year by year. The present system, which was established in its stead, was a much better one. This Department of the Government should, however, pay more attention to the way in which those Reports were made up if they wished to enlist the respect of the House for them.

Mr. F. S. POWELL said, he wished to know how the Special Report was to be paid for. How did it appear in the Estimates? He was not prepared to join in the remarks which had been made adverse to it, because the more clear and bold the colouring of pictures relating to the domiciliary arrangements of the poor the better. He felt sure that on a fair and candid report a state of things far blacker and more disgraceful to our civilization would be found in our manufacturing districts than that reported in the agricultural neighbourhoods. As an owner of property in the manufacturing districts he had found himself continually foiled in his efforts to provide for the manufacturing classes dwellings more favourable to decency and comfort by the ignorance of the very people for whose welfare he had expended his money. It was of no use to furnish their rooms with the means of ventilation if the people would never open the windows; when he had made arrangements for ample and separate sleeping accommodation, a large portion of the space so provided would be used for the purposes of lumber and storage, and the whole family would crowd into one room. Instead, therefore, of reporting adversely upon the condition of the agricultural districts only, he hoped that the medical officer would give an equally graphic and an impartial description of the existing state of things in both agricultural and manufacturing districts.

Mr. H. A. BRUCE said, that the scheme alluded to by his hon. Friend was included in the contingent expenses under the Public Health Act, 21 & 22 *Vict.* c. 97, which amounted to £7,000, including £2,000 for the National Vaccine Establishment, and £2,000 for vaccination inspection. The Report alluded to contained a great many particulars with reference to an outbreak of fever at Liverpool, and the seven volumes of Reports which had hitherto appeared had treated the subject of our large towns at considerable length. He believed that the charge against Dr. Hunter of presenting a report in which his adverse criticizm was the result of *animus* was most unjust. It was the first time it had been made, though he had frequently before used strong terms of censure.

Mr. HUNT said, he believed that Dr. Hunter's inquiries would lead to more accurate reports if some notification of his intended visit to the part of the country were made by that gentleman, so that persons in the neighbourhood might have an opportunity of furnishing him with correct information and of rebutting charges made by interested parties.

Colonel DUNNE said, he was unable to judge himself of the accuracy of Dr. Hunter's report, but a distinguished Member of the House (Mr. Henley) had said that it was incorrect, and that statement was echoed on both sides of the House.

Vote *agreed to.*

(16.) £50,523, to complete the sum for the Board of Trade.

Sir WILLIAM JOLLIFFE said, he must complain of the cost incurred through the registration of joint-stock companies, and thought that some fees for registration ought to be charged.

Mr. THOMSON HANKEY said, he must call the attention of the hon. Baronet to the fact that fees to the amount of £21,000 were received in the year 1864.

Mr. AUGUSTUS SMITH said, that the expenses in connection with this Vote had increased from £65,000 last year and £62,000 the previous year to £68,000 in the present Estimate. The increase of expenditure on account of superannuation was especially objectionable. Two gentlemen, Lord Hobart, and Mr. Edgar Bowring, had been superannuated, one at the age of thirty-eight and the other at the age of forty. One of these Gentlemen, Mr. Edgar Bowring held two offices, and though only one of those offices had been abolished, his superannuation was calculated on the salaries of both offices. He should like to know from the right hon. Gentleman at the head of this Department, who was not only known as an advanced Reformer, but was an advocate of peace, and above all retrenchment, whether these gentlemen had been employed in any other Department of the public service after the alteration or abolition of the offices they previously held.

Mr. M'MAHON said, he thought that now the restrictions had been so much removed from trade, one-tenth or even one-half of this Vote might be devoted to the protection and encouragement of agriculture, and that the name of the office itself might be changed to "the Board of Trade and Agriculture."

Mr. WHALLEY said, he wished to know how much the Vote had been increased by the Railway Bills passed last year. Great hopes had been entertained that the Board of Trade would have been able to relieve hon. Members of a large portion of the duties which devolved upon them with respect to railroads.

Mr. F. S. POWELL said, he hoped that in future the Vote for the Designs Office would appear either in the Patent Vote, orin the Vote for Education, Science, and Art.

Mr. MILNER GIBSON said, there was an inquiry into the office of the Board of Trade, with a view to its re-organization, and the office of registrar was abolished. The office of registrar had been abolished, and Mr. Edgar Bowring took the superannuation allowance to which he was entitled under the Act for an abolished office. With regard to Lord Hobart, his duties had become very slight, and he retired upon a superannuation allowance on the understanding that if duties could be found for him in the service of the Government, he would be required to perform them. With regard to the general staff of the Office it was not greater than was necessary for the work to be done. Parliament, by passing year after year new Acts, had been imposing upon the Board of Trade duties which required a considerable staff to perform them. He (Mr. Milner Gibson) would be glad if he could see his way to a reduction of the number of officials; but he did not think that object could be attained without impairing the efficiency of the Department.

Mr. AUGUSTUS SMITH said, he wished to ask, how it was that the salary of the chief of the Statistical Department had been increased from £800 to £1,000.

Mr. MILNER GIBSON said, that the reason was that there had been an addition to his duties by the abolition of other offices.

Sir COLMAN O'LOGHLEN moved, that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Colman O'Loghlen.*)

Mr. PEEL said, he hoped that the Vote for Exchequer Bonds would first be taken.

Motion, by leave, *withdrawn.*

(17.) £1,000,000, Exchequer Bonds.

Vote *agreed to.*

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again." — (*Sir Colman O'Loghlen.*)

The Committee *divided:*—Ayes 121; Noes 44: Majority 77.

House *resumed.*

Resolutions to be reported on *Monday* next.

Committee to sit again on *Monday* next.

ROMAN CATHOLIC OATH BILL.

[Bill 86.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. VANCE said, he must move the adjournment of the debate, on the ground of the lateness of the hour and the absence of the hon. Member (Mr. Newdegate), who was unfortunately indisposed. Many Members wished to speak on a subject of such enormous importance. He was anxious to know whether Government were inclined to accept the proposal that had been thrown out in the course of the debate upon this Bill by the right hon. Gentleman (Mr. Walpole)—namely, that Government should take charge of the matter, and should frame one uniform oath, that would afford adequate protection to the Established Church, and could be taken by all Members of the House, of whatever religious persuasion. He thought, from the general expression of the feeling of the House upon the subject, that this was the course the Government were bound to adopt. In the expectation that they would do so he made the Motion.

Sir BROOK BRIDGES, in seconding the Motion, said, a great number of Members interested in the question had been induced to leave the House in consequence of seeing so many Orders of the Day on the Votes, and therefore it would not be fair to force the matter on in their absence. He appealed to the right hon. Gentleman the Member for Limerick, whether he would not, under the circumstances, postpone the consideration of the question.

Motion made, and Question proposed, "That the debate be now adjourned."

Mr. MONSELL said, that in answer to the appeal of the hon. Baronet, he could only say that the measure had already been twice postponed. There had been a decisive majority in favour of the Bill. He did not wish to take any unfair advantage, but as he was a private Member, and therefore had not the control of the business of the House, he could only put the Bill down as the first business to be gone into by the House, and if the matter was always to be postponed, no private Member would undertake to introduce a Bill.

Mr. WHITESIDE said, this was a question of very serious importance and nicety. On a former occasion a person of great authority had made a suggestion, and he now asked whether the Government was prepared to take charge of this important question. He did not think the proposal of the hon. Member (Mr. Vance) at all unreasonable. By adopting this course the Government would meet the wishes of the House, and, at the same time, preserve the securities for the Protestant Constitution.

Sir GEORGE GREY said, the Bill proposed an oath to be taken by Roman Catholic Members, which would leave but a slight difference between the Protestant and the Roman Catholic oaths. He thought that one uniform oath would be very desirable. If the singular portion of the former oath, dating from the Emancipation Act, which required Protestants to swear that they did not believe that the Pope had power to exercise any spiritual or ecclesiastical jurisdiction in this country, were expunged, the oaths would be exactly alike.

Mr. HUNT said, he was not only sorry but surprised that after the speech of the right hon. Gentleman (Mr. Walpole) the right hon. Baronet was not prepared to substitute a uniform oath for that proposed by the Bill, which he believed afforded no possible security to the Protestant Church.

The CHANCELLOR of the EXCHEQUER said, he was perfectly aware that it had been suggested that Government should take charge of this Bill, but he was not aware that Government had entered into any arrangement to do so. He agreed with the hon. Gentleman (Mr. Hunt) that the Government should have undertaken the duty of legislation on this subject if it had appeared to them that by so doing they would have promoted the object better than by leaving the matter in the hands of his right hon. Friend (Mr. Monsell). He did not think there was any reason for supposing that such would be the result of the Government undertaking the subject. It was true that his right hon. Friend the Member for Cambridge (Mr. Walpole) had expressed his desire that the Government should take the matter up, but he had not indicated the basis of arrangement or pointed out the way of settlement. No doubt it would be the duty of the Government to bring in a Bill to enact an oath that would be entirely satisfactory to all parties if they could see their way to do so, but as there was no mode by which they could at present unite all parties in assenting to any proposal, it surely was not their duty to do it. It was, doubtless, expedient as a general rule that questions of importance should be handled by the Government, but he greatly doubted whether that was the case in the present instance. They were not altogether without experience in the matter. It had been found on a former occasion that the taking up of the subject by the Government had a tendency at once to throw into the category of party questions in a far greater degree than when it was in the hands of a private Member. When a Bill of the same kind was introduced by Lord Russell, with all the weight and authority of the Government of Lord Aberdeen, that measure failed to pass; whereas his right hon. Friend (Mr. Monsell), availing himself of his position and just influence as an independent Member, had succeeded in obtaining for his Bill the assent not only of a large majority of that House, but happily of a majority very variously composed; and he had received valuable support from hon. Gentlemen opposite in the shape not only of votes, but also of very able speeches. He congratulated his right hon. Friend on having placed the question in a position so favourable. The results which had attended his labours went far to show that the Government had done wisely in leaving the matter to him, and likewise in forbearing to bring forward at the present moment what might be a more perfect measure, lest they should fail in carrying that more perfect measure, and also obstruct the most valuable object of his right hon. Friend.

Mr. VANSITTART said, that his hon. Friend (Mr. Vance) had said that in consequence of the illness of his hon. Friend (Mr. Newdegate), and also as it was past twelve o'clock, he thought that the debate should be adjourned; but he had not said that the Government, or anybody else, should have brought in such a Bill.

Mr. HEYGATE said, it was obvious that a very great change of opinion had taken place on the subject since the period referred to by the Chancellor of the Exchequer. He had given a cordial vote in favour of the Bill, believing that the time had passed when the dreadful things once attributed to the Roman Catholics were to be apprehended, and also that no real security was obtained for the Established Church by the oath. But as a Protestant he would be placed in a disadvantageous position, as compared with the Roman Catholics, if he were asked to swear to more than they were required to swear to. All denominations should be placed upon one footing in that matter, and he thought that no more fitting opportunity was likely to occur than the present for the Government bringing forward such a measure.

Lord JOHN BROWNE said, that if this Bill were passed Protestant Members could then bring in a Bill to alter their oath in a similar way. He thought that the Government should give an early Government day to discuss the present Bill.

VISCOUNT GALWAY had thought it remarkable that the Government should have been so ready to report Progress at half past eleven ; but the reason was evident now. It was only fair that the hon. Member for North Warwickshire (Mr. Newdegate), who was prevented by indisposition from being present, should have an opportunity of expressing his opinions on that question.

MR. COLLINS said, that the hon. Member for North Warwickshire had ample opportunity for speaking when the Bill was introduced, and he might also have addressed the House on Wednesday before the debate closed, if he had thought proper.

MR. KENNEDY said, that any attempt by the Government to bring in a new Bill this Session would only result in the question being postponed perhaps for another six years.

MR. WHALLEY said, he wished to put it to the House, whether they ought not to show some little consideration for the absence of his hon. Friend (Mr. Newdegate) who might have retarded the Bill if he had risen to speak upon the second reading, and who really had had no sufficient opportunity of expressing his opinion upon it. The question was, in what manner the oath was to be altered, leaving out words which to the ordinary understanding were not intelligible. Before the House went into Committee the right hon. Gentleman (Mr. Monsell) should inform the House on what authority he was prepared to justify the change he sought to introduce.

SIR HERVEY BRUCE said, that it was undesirable to pass this measure at the present moment, because its adoption would necessarily be associated by the public with the recent attacks upon the Irish Church and the approaching elections.

SIR FREDERICK HEYGATE said, he was one who attached very little importance to oaths of this kind. They were too easily taken, and too often forgotten ; but, holding these opinions, he must say that it was inexpedient at the present time to propose the change which was sought, and this for two reasons. First, on account of the repeated attacks made in this House upon the Irish Church ; secondly, on account of the near approach of the general election. It would be said that this Bill was brought in for the purpose of influencing votes then. Though it might be of some advantage to the Government, care should be taken lest the course which was adopted might arouse the Protestant feelings of the nation.

MR. DENMAN said, this was a cowardly and unworthy argument. Because it might be said that they were doing something which they knew to be just under the pressure of the approaching election, therefore they were to perpetuate what they knew to be unjust. If this was a just Bill hon. Members ought to support it, and not care what the people might say out of doors with respect to the motives which actuated its supporters. To use the words of the right hon. the Member for the University of Cambridge, "the oath was offensive, and contained insulting statements." If this was so they ought to get rid of it.

MR. WALPOLE: As the hon. and learned Member has alluded to me I may say a few words, especially as the argument I used was hardly that which he has attributed to me. The argument I used was this—and the more I have thought upon it the more I am prepared to adhere to it—that when you make a deliberate compact—tacitly it may be, not in words, perhaps—when you come to a deliberate agreement or understanding that upon certain conditions a great change is to be made in your law, you ought not to disturb the conditions unless you see some great practical grievance pressing upon some persons, and the grievance ought to be made out to the satisfaction of the House. I adhere to the view that if it were made out to the satisfaction of the House that there are circumstances which require an alteration in the oath such a change ought only to be made after the gravest consideration, and to be recommended on the responsibility of the Advisers of the Crown. And further, that if we see a change necessary we ought to consider whether we can frame the oath in such a form of words as that all Members of the House may take it. If Her Majesty's Government will take the matter in hand I will do my best to see what form of oath is to be framed. But unless the Government do so, after thirty years during which this oath has been taken, and which was confirmed in 1858, it is hardly fair at this advanced period of the Session to expect Members to assent to change without more discussion upon the subject, and especially at this hour of the night. This is a course which ought not to be pursued, and until a proper opportunity is offorded it is not reasonable at this hour to press the measure.

Mr. DARBY GRIFFITH said, as some hon. Members spoke in favour of a uniform oath they ought to bear in mind that there was a class (the Jews) which had been recently admitted by Resolution to seats in this House, and that the admission was a kind of by-play. It would be fairer to consider how the oath could be framed to meet this class.

Question put, "That the Debate be now adjourned."

The House *divided*:—Ayes 44; Noes 115: Majority 71.

Question again proposed, "That Mr. Speaker do now leave the Chair."

Mr. BANKS STANHOPE moved that the House adjourn, and he did so on account of the course taken by the Government. In order to favour the present Bill they had intentionally neglected the business of the House by abstaining from proceeding with the Estimates, though on other days they charged Members on the Opposition side with obstructing business when particular items were objected to.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Banks Stanhope.*)

Sir GEORGE GREY said, that at half past ten o'clock a Motion was made to report Progress, but the Government nevertheless went on with the Estimates until twenty minutes to twelve o'clock. The House had by the division expressed a decided opinion that the Bill ought to be proceeded with; but as at that hour it would be impossible to make much progress with the Bill, he suggested that the Bill should now be allowed to go into Committee, with the understanding that Progress would be immediately afterwards reported.

Mr. VANCE said, he feared that if that course were pursued it would be afterwards impossible for any one to move an Instruction to the Committee to frame a uniform oath to be taken by all Members.

Mr. COLLINS said, he thought the conduct of some hon. Members very inconsistent. They complained that the Government did not make the Bill a Government measure, and when the Government did the next best thing, by allowing the Bill to come on for discussion at half-past eleven o'clock, they still objected to that course.

The CHANCELLOR of the EXCHEQUER said, he believed that the hon. Member for Dublin (Mr. Vance) was under a mistake in supposing that if the Bill went into Committee and Progress were reported, it would not afterwards be competent for an hon. Member to move an Instruction to the Committee.

Mr. MONSELL said, he thought that if the course suggested by the Secretary for the Home Department was followed there would be every opportunity for the further discussion of the subject.

Viscount GALWAY said, that if the Government thought the Bill of such importance as to induce them to give up proceeding with the Estimates at so early an hour as they had done, with a view to its being brought on, they ought to take the subject into their own hands.

Mr. WHALLEY said, that hon. Members were entitled to have a full opportunity of discussing whether the House should or should not go into Committee on the Bill.

Colonel DICKSON said, that if the Government were in earnest in their support of the Bill, and were desirous that it should not be a shuttlecock between opposing parties, they ought to lend his right hon. Colleague all the facility and assistance in their power in pressing it forward.

Mr. WHITESIDE said, that the Bill, if it were to pass that House, would have to go before another Assembly, composed of lawyers and statesmen, who would give it a calm and conscientious consideration, and that if it were sent up to that Assembly in a crude shape it might be very summarily rejected. He would, therefore, suggest that the best chance for its success would be to allow it to be discussed fairly, with the view to the introduction into it of such Amendments as were desirable, and as hon. Members on his side of the House were prepared to propose. For his own part, nothing would ever induce him to consent to depart from the vital principle of the constitution as established at the Reformation, and which he conceived to be embodied in the oath as it now stood.

The ATTORNEY GENERAL said, that if the right hon. Gentleman was determined to adhere to the principle of the constitution as he supposed it to be, embodied in the Roman Catholic oath—

Mr. WHITESIDE explained that he referred to the oath taken by Protestants, in which they denied not only the temporal, but the ecclesiastical and spiritual jurisdiction of foreign Powers.

THE ATTORNEY GENERAL said, that the right hon. Gentleman had given good reason why they should only do one thing at a time. He would leave those who did not hold the pernicious doctrine to which he objected to say they did not, and those who did hold it should not be required to renounce it. That being so, what great bulwark of the constitution was to be found in the circumstance that those who did not believe in the spiritual jurisdiction of the Pope expressed their non-belief—however great the satisfaction they derived from it—while they had no fear of the non-renunciation of the contrary belief in the case of Roman Catholics who held those pernicious doctrines.

MR. WHITESIDE said, he was answering what the Home Secretary had said with respect to altering the oath by striking out the words which contained the principle which he (Mr. Whiteside) advocated.

MR. ESMONDE said, the right hon. Gentleman (Mr. Whiteside) had called a distinction between the Church and its temporalities a flimsy one, but he would remind him that it was a distinction made by that eminent statesman, Edmund Burke. In his speech on Wednesday the right hon. Gentleman went as far, in order to insult the Roman Catholics, as the form of the House allowed him.

Question put, "That this House do now adjourn."

The House *divided* :—Ayes 36 ; Noes 102 : Majority 66.

Question again proposed, "That Mr. Speaker do now leave the Chair."

MR. WHALLEY said, he should make another Motion of adjournment, as a matter of form, to enable him to state that the learned Attorney General would never have ventured on the address he had delivered a few minutes previously at an hour when the House was in a frame of mind to understand it.

MR. AYRTON said, he rose to order. As the right hon. Gentleman having the conduct of the Bill was understood to be willing to accede to the Motion, perhaps the hon. Member for Peterborough (Mr. Whalley) would not object to shorten his speech.

MR. WHITESIDE said, that when the Attorney General chose to raise upon a proper occasion the question that it was of no importance that there was a denial—a constitutional legal denial—of that which he sneered at—namely, the jurisdiction of any foreign Power in our law, he was willing to discuss it fairly with him.

THE ATTORNEY GENERAL said, the right hon. Gentleman had left out the words which alone raised the matter between them. The denial of the jurisdiction of any foreign power in our law was in the present oath. [Mr. WHITESIDE : Spiritual.] The right hon. Gentleman put in the word "spiritual" now. With regard to that, those who did not believe—and all who were Protestant did not believe—in the spiritual jurisdiction of the Pope professed that in the oath taken in the House. But if the holding a different tenet were dangerous to the constitution it would follow that those who held it would be asked to take the same oath. They were informed that all our Roman Catholic fellow-subjects held that tenet, and it was not considered so dangerous as to induce us to ask them to renounce it.

MR. MONSELL said, he would agree to the Motion for the adjournment.

Debate *adjourned* till *Tuesday* next.

INLAND REVENUE ACTS.

Resolution [May 18] *reported.*

"That it is expedient to make provision for allowing a Maltster the option of having the Excise Duty on Malt made by him charged according to the weight of the Grain used in the making of such Malt instead of by measure."

Resolution *agreed to.*

Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. PEEL.

Bill *presented,* and read 1°. [Bill 161.]

SALMON FISHERY ACT (1861) AMENDMENT BILL.

Ordered, That the Select Committee on the Salmon Fishery Act (1861) Amendment Bill do consist of seventeen Members :—Committee *nominated :* — Mr. BARING, Mr. ACLAND, Mr. CAVENDISH BENTINCK, Mr. HENRY FENWICK, Mr. EDWARD FENWICK, Mr. FLEMING, Mr. HIBBERT, Mr. KNIGHT, Mr. LAWSON, Mr. LYGON, LORD ROBERT MONTAGU, Mr. MORRITT, COLONEL PENNANT, Mr. WHALLEY, Mr. PERCY WYNDHAM, Mr. M'MAHON, and Mr. MACKIE :—Five to be the quorum.

CORONERS (IRELAND) BILL.

Bill to amend the Law respecting the election, payment, and duties of Coroners in Ireland.

Bill *presented,* and read 1°. [Bill 161.]

House adjourned at half after One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, May 22, 1865.

MINUTES.]—SELECT COMMITTEE — On River Shannon (Navigation and Drainage) *appointed* (*List of Committee*).

PUBLIC BILLS — *First Reading*—County Voters Registration * (116); Drainage and Improvement of Lands Acts (Ireland) Amendment * (117); Commissioners of Supply Meetings (Scotland) * (118); Parsonages * (119).

Second Reading — Pheasants (Ireland) (109); Tories, Robbers, and Rapparees (96); Exchequer Bonds (£1,000,000) * (*Committee negatived*).

Report—Public Offices (Site and Approaches) * (68); India Office (Site and Approaches)* (69).

Referred to Select Committee — Sewage Utilization (80) (*List of Committee*).

Select Committee—Report—Pilotage Order Confirmation * (67).

Third Reading — Oxford University (Vinerian Foundation) * (115); Customs and Inland Revenue * (105), and *passed*.

Withdrawn—Metalliferous Mines (49) [H.L.]

METALLIFEROUS MINES BILL.

(NO. 49.) BILL WITHDRAWN.

On Order of the Day for the Second Reading,

LORD KINNAIRD said, that if he were to proceed with the Bill which he had ventured to introduce into their Lordships' House, and to bring under their notice the fearful sacrifice of life which had been shown in the evidence brought before the Royal Commissioners to occur, in the copper, tin, and lead mines—for he excluded from his remarks all reference to ironstone mines —he should not have the least doubt of satisfying their Lordships of the necessity of some legislation on this subject. He could, if he desired it, show from the Report of the Commissioners that a miner's health began to give way at about the age of thirty-five; that a miner who had attained the age of fifty was regarded as an old man; and that those circumstances, together with the constant and fearful loss of life from accident, were attributable to the disgraceful state of the works under ground. He believed that if, as he had intended to propose, the Bill, after being read the second time, had been referred to a Select Committee with a view to consider a remedy for the many evils which existed, the condition of the miners might have been as greatly improved as the condition of the men working in collieries had been benefited by the provisions of the Colliery Act. He thought that he had been somewhat unfairly treated by the Government, who had intimated at the last moment their intention to oppose the Bill, and as under these circumstances he could not hope they would meet him in Committee in an impartial spirit, he should now move that the Order for the second reading should be discharged, in order that the Bill might be reconstructed—not, however, with a view of proceeding with it at the present late period of the Session. He thought it necessary that he should state to the House why he had introduced such a measure upon his own responsibility. The Report of the Royal Commission appointed to examine into the condition of mines was signed by the whole of the Commissioners, and during the winter he had repeatedly urged upon the right hon. Baronet the Secretary of State for the Home Department the advisability of introducing a Bill founded upon those recommendations. But the right hon. Baronet stated that the Cornish Members desired that legislation upon the subject might be delayed, because the mining interest was in a depressed state, arising from the condition of affairs in America; because sufficient time had not been allowed for the consideration of the recommendations of the Commissioners; and the last, and, he believed, the principal reason, was because of the proximity of a general election. The first two objections, however, had disappeared, because the state of things in America had fortunately greatly improved, and because the Report of the Commissioners had been published for four or five months; and in regard to the last reason, he did not think a vote or a seat ought to be at all regarded in comparison with so important a matter. He, however, offered to bring in a Bill upon his own responsibility, and this offer was accepted by the Secretary for the Home Department. He had circulated copies of the Bill at his own expense throughout the mining districts, in accordance with the understanding come to with the Secretary of State for the Home Department, and it was therefore with the greatest surprise that he was informed a few hours before the second reading that unless he withdrew the Bill the Government would oppose its further progress. He regretted that he was compelled to take this course, because of the loss of life that must necessarily result from the delay which was thus occasioned—a loss of life against which coroners' inquests were no provision whatever; for coroners' inquests in Cornwall invariably returned a verdict of "accidental death" even in cases where the loss of life was occasioned by defects in machinery. This circumstance arose from the fact that the jury were generally composed of mine captains or others interested in mines, and that the miners themselves who could give evidence adverse to the management of the mine in which the accident happened dared not open their mouths. As an instance, a verdict of "accidental death" was returned where two men were killed by the explosion of a boiler which was proved to have been bought at third-hand. The miners themselves did not complain of the ventilation of the mines, because they believed it could not be remedied; but they complained, and justly, of the state of things under ground. A miner's life might be truly said to be constantly trembling in the balance. He was compelled to exercise an amount of vigilance with which it was unfair to tax him. That was the true state of things in the great majority of mines. Had he gone into Committee he should have been able to show by the evidence of scientific practical men that the evils at present complained of were capable of a remedy. He was aware that a great opposition had been got up against this Bill; one of the objectors being Mr. Taylor, one of the firm of Messrs. Taylors, who had, no doubt, a high standing in the mining world, and their opinion had the greatest weight. But, looking to the report, it would be found that their mines were not, as might have been expected, in a very different state from the others as regards ventilation and accommodation. There were, he would admit, several mines in Cornwall and in the north—those of the London Lead Company and of Mr. Beaumont, for instance—where the health and comfort of the men were well attended to; and yet, even in these, it would be found, on referring to the analysis in the Report, that the air was bad. He was sorry that legislation must stand over for another year, and that the fearful loss of life which occurred daily must still go on. He had no alternative but to withdraw the Bill as the Government had seen fit to oppose instead of themselves promoting such a measure. He earnestly implored the Government during the recess to employ practical scientific men to investigate this subject. He could give the names of men who would be prepared to prove, notwithstanding the prejudice that existed to the contrary, that mines could be ventilated, not only so as to save the lives of the workers, but to the great adventage of the adventurers themselves—he could refer to the evidence of Mr. Angus Smith to show that mines might be tested by a far better method than the old candle test; in fact, he believed, that by the due application of scientific methods, aided by judicious legislation, the existing evils and dangers might be removed. If these inquiries were made, the question would be very much simplified and they would be prepared for legislation next Session. He moved that the Order for the second reading of the Bill be read, that it might be discharged.

Moved, That the Order of the Day for the Second Reading of the Metalliferous Mines Bill be read in order to its being discharged.—(*Lord Kinnaird.*)

EARL GRANVILLE said, he would only say one word on this occasion, as his noble Friend had announced his intention of withdrawing the Bill; indeed he should not have intruded at all on their Lordships if his noble Friend had not thought proper to make a charge against the Government of neglect of duty in not bringing forward a Bill for the regulation of mines themselves. Now, it was perfectly competent to his noble Friend to form any opinion he chose of the duty of the Government; but he must protest against his imputing to Sir George Grey, without the slightest foundation, motives of an unworthy character for not undertaking that task. With regard to the duty of the Government, he never was so clear on any subject in his life as that it was their duty to take the course they did, and not that of his noble Friend. His noble Friend had taken that course without any previous communication whatever with his brother Commissioners. His noble Friend said this Bill was in accordance with the recommendations of the Commissioners; but he must point out a fact of some importance—that the Report of the Commissioners contained no recommendation for any legislation on the subject —indeed they had abstained from making any recommendation whatever. It was therefore premature in his noble Friend to bring in this Bill, affecting very many most delicate questions. Such being the feelings of parties both in the north and south-west, who were most interested in the question, he thought it would have been folly in the Government to have brought in a Bill on the subject. He would not discuss the merits or demerits of his noble Friend's Bill, but he was quite sure his noble Friend had acted wisely in withdrawing it.

LORD VIVIAN thought the Bill one of the most mischievous ones that had ever been brought into Parliament. The noble Lord had introduced it entirely on his own responsibility, and under the protest of all his brother Commissioners—a protest made to him in the strongest way, and founded on their conviction that legislation such as that attempted by the noble Lord would be dangerous in its character and most prejudicial to the mining interests. As the noble Lord had announced his intention to withdraw the Bill, he should not think it his duty to go into detail and answer the statements he had made, although every iota of it could be explained in the most satisfactory manner. He must, however, venture to express his opinion that there never was a case in which legislation was attempted to be founded upon less knowledge. But the noble Lord (Lord Kinnaird) had thought fit to take an unprecedented step; he held in his hand a large handbill which had been circulated throughout Cornwall, and which bore the signature of "Kinnaird," and which set forth the Report of the Commissioners and their Resolutions. On that Commission were men with the largest experience in mining matters, and, among others, the four representatives of the county of Cornwall, all of whom protested against the course taken by the noble Lord. The handbill stated that the Bill before their Lordships was based upon the Report of the Commissioners, and therefore it implied that the measure met with the approbation of the noble Lord's coadjutors, whereas the fact was that they were altogether opposed to it. The noble Lord had kept the Bill from the knowledge of his brother Commissioners up to the last moment. [Lord KINNAIRD: No!] He had authority for making that statement. At any rate the noble Lord knew that the desire of the Commissioners was that any legislation which might be proposed on that subject should be carefully considered; and under any circumstances the circulation of such a handbill was wrong. The noble Lord's handbill expressed a hope that his measure would meet with the approval of the working miners. That showed that the noble Lord had very little practical knowledge of the subject he pretended to legislate upon. The working miners were a contented and most intelligent class of men, who were well aware of the good feeling entertained towards them by their employers; and he regretted that the noble Lord had put forward such a handbill, not because it had produced any mischief in regard to the relation between the employer and employed, but because it produced a very grave feeling against the noble Lord himself, who, he trusted, would not be sent as a Commissioner into Cornwall again. He did not condemn the motives which had induced the noble Lord to introduce that Bill, but he did condemn him for bringing in, upon his own individual whim or opinion, a measure on a most difficult subject of which he had no knowledge prior to his appointment on the Commission.

LORD KINNAIRD wished, after what had passed, to offer a few words of personal explanation. He had not the slightest intention to impute unworthy motives to the Home Secretary; he had simply stated that one of the reasons given by a Cornish Member for delay was the approaching election. As to the allegation that he had brought in his Bill in opposition to all the Commissioners, he could say that there never had been a meeting of all the Commission, but only of the Cornish Members. One other Member not connected with mines was present, and his remark to him after the meeting was that the Cornish element prevailed on the Commission, and that there was no intention to propose legislation on the subject. With regard to the handbill which had been referred to, the noble Lord (Lord Vivian) gave notice that he meant to oppose the Bill; but he (Lord Kinnaird) had not attached much importance to his opposition, because he had brought in the measure with the sanction of the Home Secretary, and had complied fully with the right hon. Baronet's conditions in letting it be known and examined; and he certainly had not expected that he would be taken by surprise, and told at the eleventh hour that the second reading would be opposed on the ground that somebody had represented to the Home Secretary that there was a feeling against the Bill; whereas there had been no demonstration whatever. He had been also told by the right hon. Baronet that there was to be a county meeting. Now, although he might have no knowledge of mining, he knew very well that the miners durst not open their mouths. The evidence of very few miners would be found in the Report—and why? Because they durst not give evidence. In one case the Commissioners contrived to obtain evidence by engaging the agent in conversation in one part of the mine, while a Member of their body and the shorthand writer were taking the evidence of a miner elsewhere. The man, however, was constantly looking round to see whether the agent was coming. He was not ashamed of having circulated a handbill to let the miners know what were the Resolutions agreed to by all the Commissioners, and that he had prepared a Bill designed for their benefit founded upon those Resolutions. He was no longer a Commissioner, and maintained that, as an independent Member of the House, he was perfectly entitled to deal with that subject. There was an unwillingness to legislate; but when a strong Report was made, stating the grave evils which existed, and recommending that they should be remedied, he thought it ought not to lie on the table without some attempt being made to give effect to it.

Lord PORTMAN said, that as he now understood the matter the noble Lord removed the charge from the Secretary of State to the shoulders of the Members for Cornwall, who, he said, were acting in the matter with a view to the forthcoming election. Now he denied that those hon. Gentlemen at all feared to meet their constituents on account of the course they had pursued in that or any other matter. They were greatly respected in the county, and well known for the great interest they took in the welfare of the poorer as well as in that of the richer portion of its inhabitants. As to the Bill before the House, he thought a more unwise step was never taken by a noble Lord who was a member of a Commission than to try to bring his own individual feeling to bear on a question of the most delicate kind, without the concurrence of his colleagues. It was a grave error to attempt to agitate the country on such a subject in these days, when Parliament was in every way disposed to redress the just grievances of the working classes. The Cornish men declined to place themselves under the guidance of the noble Lord; and they deprecated the sending down of Inspectors from the Board of Trade to instruct the miners how they were to carry on their business. The noble Lord's Bill prohibited anybody having a share in a mine from being employed as an Inspector, which was as much as to say that an ignorant man should be preferred to one who was acquainted with the subject. The owners of mines were anxious to do all they could to promote the comfort of the miners; and before any legislation was proposed, the question should be considered for the next twelve months or two years as the case might be. He would not say that it would be unsafe for the noble Lord to re-appear in Cornwall, for the people of Cornwall are very good-natured; but he trusted that he would not bring in another Bill in the same manner as the present.

Order for the Second Reading read, and *discharged;* and Bill (by Leave of the House) *withdrawn.*

RIVER SHANNON (NAVIGATION AND DRAINAGE.)

SELECT COMMITTEE APPOINTED.

The Marquess of CLANRICARDE *moved*—

> "That a Select Committee be appointed to inquire how far the Shannon and its principal Affluents can be improved both as regards Navigation and Drainage at a reasonable Cost; also, how far the Provisions of the Act of 2nd and 3rd Vict. Cap. 61. were complied with by the Commissioners appointed under that and subsequent Acts; and also, how far the Results anticipated in the Reports laid before Parliament previous to and during the Execution of Works by those Commissioners have been obtained; and that the Reports of Mr. Bateman and Mr. Beardmore upon the River Shannon be referred to the said Committee."

Motion *agreed to;* Select Committee *appointed:* And on *Tuesday* the 23rd inst. the Lords following were named of the Committee:—

D. Richmond.
Ld. Steward.
E. Spencer.
E. Cadogan.
E. Belmore.
E. Grey.
V. Clancarty.
L. Ponsonby.
L. Crofton.
L. Granard.
L. Somerhill.
L. Stanley of Alderley.
L. Lyveden.

SEWAGE UTILIZATION BILL—(No. 80.)

REFERRED TO SELECT COMMITTEE.

On Order of the Day for the House to be put into a Committee,

Lord DENMAN suggested that the further consideration of the Bill be postponed until a copy of the Report upon the Essex Reclamation Bill was received by their Lordships, with the view of having both Bills referred to one Select Committee.

Lord RAVENSWORTH said, that as he was anxious to proceed with the Bill without unnecessary delay, he could not agree to postpone the Bill for the purpose of referring it to a Select Committee together with the Essex Reclamation Bill. The noble Lord went through the Bill, referring to the provisions of the different

Acts of Parliament referred to, so far as they were incorporated in the Bill before the House.

Lord REDESDALE was of opinion that the Bill required a great deal of consideration, and recommended that it should be referred to a Select Committee.

The Duke of CLEVELAND said, it had been represented to him that the Bill would act injuriously in certain cases, and he therefore joined in the recommendation that the Bill should be referred to a Select Committee.

Lord RAVENSWORTH said, he was well aware how carefully their Select Committees considered any Bill committed to them, and his only desire was that the Bill should be made to work well. He was quite prepared to hear objections raised to the provisions of this measure, when the question was one as to the removal of nuisances and pollutions, because evils of that kind had acquired in many localities a sort of prescription. But it was only necessary to look these difficulties in the face. The success which had attended the Government inspection of alkaline works throughout the country, and the Report upon the subject which had been laid upon the table of their Lordships' House, showed how much could be done. He wished to offer his tribute of congratulation to his noble Friend near him (the Earl of Derby) for the courage he had shown in bringing forward a measure which had been successful in its results, but which in the beginning was sure to meet with opposition, and might have exposed his noble Friend to misrepresentations which might have been damaging to his character as a statesman. The success of his noble Friend was a great encouragement to him to persevere in a similar attempt as regarded the pollution of the water. He was willing to agree to the proposal to refer the Bill to a Select Committee.

Order of the Day for the House to be put into a Select Committee, read, and *discharged;* and Bill *referred* to a Select Committee.

And, on *Friday*, May 26, the Lords following were named of the Committee:—

E. Derby.
E. Romney.
V. Strathallan.
V. Torrington.
V. Eversley.
L. Polwarth.
L. Boyle.
L. Redesdale.
L. Silchester.
L. Ravensworth.
L. Portman.
L. Ebury.

And, on *Monday*, May 29th, the Earl of Essex *added.*

PHEASANTS (IRELAND) BILL—(No. 109.)

SECOND READING.

Order for Second Reading read.

The Earl of BELMORE, in moving the second reading of this Bill, said, that by an Act of the Irish Parliament passed in 1787 it was provided that from and after the 1st day of June in that year any person who should wilfully kill a pheasant between the 10th day of January and the 1st of September in any year should be liable to a penalty not exceeding £5. The time prescribed by that Act, however, had been found inconvenient, and he therefore proposed by the present Bill to enact that no pheasant should be killed between the 1st of February and the 1st of October.

Moved, "That the Bill be now read a second time."—(*The Earl of Belmore.*)

Motion *agreed to:* Bill read 2^{a}, and *committed* to a Committee of the Whole House *To-morrow.*

TORIES, ROBBERS, AND RAPPAREES BILL—(No. 96).—SECOND READING.

Order for Second Reading read.

The Earl of DONOUGHMORE, in moving that this Bill be read a second time, said, that its object was to repeal two Acts of the Irish Parliament—one of the reign of Queen Anne, the other of the reign of George III.—by the former of which it was provided that Irish gentlemen who would do no work, but would go "coshering" from house to house, and all persons of loose and idle character, should be liable to penal servitude for seven years. Their Lordships would probably be of opinion that in these days an Act of such a nature ought to be allowed to fall into utter disuetude, but it had recently been revived and put in force, for an unfortunate man had recently been brought before the Judge at the Kilkenny Assizes and sentenced to seven years' penal servitude. Public attention had been called to the subject, and hence the Bill which he now asked their Lordships to read a second time.

Moved, "That the Bill be now read a second time."—(*The Earl of Donoughmore.*)

Motion *agreed to:* Bill read 2^{a}, and *committed* to a Committee of the Whole House *To-morrow.*

ALKALI ACT.—INSPECTOR'S REPORT.

THE EARL OF DERBY: My Lords, I trust your Lordships will permit me to trespass upon your attention for a few minutes with reference to a subject which has already been referred to by my noble Friend (Lord Ravensworth)—a remarkable Report that has been laid upon the table during the last few days. The facts stated in that Report are so remarkable and so satisfactory that I am sure your Lordships will not find it a waste of time if I attempt to give more publicity to the facts than they would be likely to receive from their mere publication in a blue-book. Three years ago—in the year 1862—I brought forward the great injury caused in certain districts of the country from the escape of noxious gases in different processes of manufacture, and your Lordships were pleased to appoint a Select Committee to investigate the subject. In the following year, the evidence was so conclusive, your Lordships passed an Act for the purpose of placing under inspection the particular manufacture which had been the most extensive nuisance, and was also susceptible of the most easy remedy. The Report I hold in my hand is the first Report of the Inspector appointed under the Act. An Inspector and several Sub-inspectors were appointed, and I am sure I only express a universal opinion when I say that the Board of Trade could not have made a better appointment than that of Dr. Angus Smith, whose scientific knowledge is universally known, and who has conducted the proceedings under the Act in so conciliatory a spirit as to have tended materially to the success of the Act. I must remind your Lordships that the Act had only been in operation for nine months down to the date of this Report. I pressed the noble Lord opposite (Lord Stanley of Alderley) to appoint the Sub-Inspectors prospectively, so that they might have been appointed in October or November, and have become acquainted with their duties. They were not, however, appointed until February or March—it was only in March, 1864, that the Act came into operation, and this Report is dated in January or February. To show the extreme sensitiveness of vegetation to the minutest quantity of the muriatic gas evolved in the manufacture of alkali, I will call your attention to a few lines in the concluding page of this Report, which gives the result of a remarkable experiment. Your Lordships may be aware that the most effectual test with regard to the condensation of this gas is to pass it through nitrate of silver—

> "Mr. Balmain, of St. Helen's, after passing gas from his condenser through nitrate of silver, led it among growing flowers, covered with a glass shade. These flowers had appeared healthy for a fortnight, but, suddenly, in two hours, they died; a less perfect condensation had occurred for a short time, but so delicate were the flowers that, although they clearly showed this difference, it could not be traced by any other method."

This shows the destructive effect on vegetation of even an imperceptible portion of this noxious gas. Now, let us look to the Inspector's Report to see what was the state of things previous to the passing of this Act. Before the Committee we could only adduce vague statements in regard to the extent of the damage done; we had no means of showing the amount of gas which escaped and which ought to have been condensed. It is true, the Inspector says—

> "That thorough condensation was known to very few, and practised by still fewer, up to the time of the passing of the Act; and it even happened that for some time after inspection had begun 40 per cent of the gas was in some cases allowed to escape, while 16 was a very common amount."

The Act requires that in all cases there shall be at least 95 per cent of the total amount condensed. The Act has now been in operation little more than a year; yet the Inspector is able to report that the condensation of muriatic acid, instead of being 40 or 16 per cent, is actually 98·72 per cent. The average escape of muriatic acid is 1·28 per cent over the kingdom. At page 10 of the Report it is stated that, gradual as the progress has been, it has been very rapid, and improvement is still to be expected—

> "Practical inspection did not begin until March, 1864, and now in February, 1865, every alkali work is condensing at least the amount required by the Act, while twenty-six are condensing 100 per cent, and all the others condense more than by the Alkali Act they are compelled."

He then give a list of sixty-four different works engaged in the manufacture of alkali, and of these, in not less than thirty-three the escape of gas is nil or 0·1; in ten under 1 per cent; and only five where the escape of gas amounts to 4 per cent. And I am bound to say that such results would not have been obtained except with the cordial and ready concurrence of all those engaged in the manufacture. So far as I can learn, there is hardly one of the manufacturers who has not lent himself actively and energetically to carry out the object of the Act, and to make the machinery and the apparatus as perfect as possible. Dr. Angus Smith says that the knowledge of good methods of condensation was not general. He says—

> "The knowledge of good modes of condensing was not general among the alkali makers; the knowledge of the amount of escaping gas and the mode of estimating it was also imperfect; and men who imagined themselves free from all blame were surprised to find that they were sending into the air several times more than the law permitted. I am happy, however, to say that in no instance known, has any act been performed to which we can in the slightest degree object, and if in some cases the delay in the alterations was greater than absolutely needful, it may perhaps be said that it was well to wait for the full proofs of deficient condensation, and to satisfy each manufacturer of the accuracy of the statements regarding his own works."

Your Lordships will hardly have an idea of the magnitude of the evil with which we had to contend, unless I trouble you with two or three figures. The total amount of salt decomposed throughout England per week is 5,762 tons. This gives out 3,325 tons of dry acid, or about 13,000 tons of strong commercial muriatic acid in a liquid state. The whole amount would escape if there was no condensation. Dr. Angus Smith says—

> "If we estimate the escape of muriatic acid gas at 1,000 tons per week before the passing of the Alkali Act, or at least before the introduction of the Alkali Bill into Parliament, we may be considered as taking a very moderate view of the question. This supposes 2,324·96 to have been already condensed, and is a very favourable view of the case. The 1,000 tons left uncondensed are equal to 4,000 tons of 25 per cent acid."

And this amount, at a very moderate estimate was previously poured into the atmosphere every week. The effect of the complete condensation is incredible, for the amount that escaped has been reduced from 4,000 tons per week to forty-three tons. And this has been brought about in the course of a single year. I beg to trouble your Lordships with one case in the neighbourhood with which I am more particularly connected, to show how greatly we suffered from this nuisance. There is in the Report a list of ten works in the compass of a square mile, from which there was poured into the air 255 tons of muriatic acid gas, or 800 tons of strong commercial muriatic acid in a liquid state, the course of week. Seven of these now send out nothing; one sends out 1·5; another 0·3, and another has ceased working. Thus 800 tons of noxious vapour escaped into the air every week, which, under the recent improvements, is quite got rid of. That fact may serve as a guide to the amount of suffering which this unhappy district had to endure before the Act was passed. It was supposed that great difficulties would be experienced in the matter of inspection on account of the interference it might cause in various manufacturing processes. Dr. Angus Smith's Report shows that condensation is carried on so completely that the task of inspection was exceedingly light, and some alkali manufacturers have been surprised at the ease with which they had succeeded in complying with the requisitions of the Act, and with which the duties of inspection have been carried out. The only other point connected with this Report upon which I need trouble your Lordships is the subject of expense of making alterations and its bearing upon the profits of trade. Dr. Angus Smith in his Report says—

> "It was my belief that the amount paid annually for damages done by the escaping muriatic acid would, in many cases, be sufficient to make all the alterations required for condensation within the Act. I have received only one letter bearing on this subject; it is from the owner of a large work. The amount paid by him for the last four years has been £150 per annum for damages. The expense of alteration so as to bring condensation within the requirements of the Act has been £300, so that the compensation paid in two years is sufficient to remove the grievance so far. Considering the sum of £300 as capital, condensation within the Act becomes a saving of expense. The owner above referred to adds, 'We contemplate expending a much larger sum than this for further improvements.' When the improvement advances to such an extent as to condense 95 per cent, there is generally a desire to proceed further. In some cases the muriatic acid sent into the atmosphere was actually much wanted in the works for the production of chlorine. Its condensation has then been a great advantage and a means of enlarging the business."

I accidentally heard the other day that a new and extensive demand has sprung up for muriatic acid to be used in bleaching rags and other fibres for the manufacture of paper. This is only a part of a subject which must engage the attention of the country. It is most important, with our increasing population and our advanced acquaintance with chemical science, that the subject of sanitary measures should engage the attention of the public, and no subject can be more worthy of the attention of the Government or the labours of a statesman than the application of our improved scientific knowledge to the various processes of agriculture without inflicting injury upon manufactures or deteriorating the public health. I would be the last man to ask the Government to undertake, or to venture myself upon a Quixotic attack upon the various processes of those manufactures which form the staple of the wealth of this country, and with which my own interests are closely connected; but I hope the successful results of this experiment will have the effect of allaying any jealousy or apprehensions which may be felt by manufacturers in kindred branches of trade, and to encourage the Government to proceed cautiously, but steadily, with the object of introducing measures for the purpose of removing many nuisances which at present unnecessarily accompany many of our manufacturing processes. I know that, for instance, from copper works noxious vapours now are emitted; but I am told that where those works are in close proximity to alkali works it is possible to work the two together so as to prevent any nuisance to the public, the sulphuric acid evolved from the copper works being very much in demand for some of the early processes of alkali works. That is satisfactory, because it shows that a measure which has already effected much practical benefit has had also a collateral advantage. One manufacturer in another branch had sought the advice and assistance of Dr. Angus Smith to obtain the benefits which this Act has conferred alone upon alkali manufacturers. I myself think the advantages which has arisen in this very limited time, and from this very limited measure, is matter for the sincerest congratulation; and I trust that this improvement will be lasting and will grow greater, and that the Government and the manufacturers will combine in endeavouring by improved systems of manufacture to remove many of the evils at present complained of and which may be prevented. I am quite aware that Dr. Angus Smith's duties are confined to the alkali works alone; but it is quite open to the consideration of the Government whether they will avail themselves of his great experience and his great chemical attainments; not to direct him but to authorize him to inquire into the practicability of applying a similar system and scientific methods to some other manufactures. I repeat that I am not asking for this duty to be imposed upon him; but I think that in his position he would be very willing to furnish the Board of Trade with information which would enable them safely, temperately, and usefully to proceed in the course of legislation already adopted. I thank your Lordships for having allowed me to detain you, but the subject is so interesting and the result so gratifying that I felt it my duty to make this statement.

Lord STANLEY of ADERLEY said, the House and the country were very much obliged to the noble Earl for bringing this question before them, for no doubt what he had said would serve to attract greater attention to the Report, of which, however, he himself had stated the marrow. Like the noble Earl, he was much gratified to find that the measure from which they had expected good results had not disappointed them. The success of the measure was no doubt attributable to the fact that it had met with the approval of the manufacturers themselves; though no doubt the Inspector had also contributed much to its success. Any future legislation must greatly depend for success upon having the approval of the manufacturers, and therefore it would be necessary to proceed very cautiously; and although he did not at present say that any measure extending legislation to other manufacturers could at present be proposed, yet he did not dispair of continued legislation in this direction, so as to mitigate, if not remove, some of the evils complained of.

PARSONAGES BILL [H.L.]

A Bill further to amend and render more effectual the Law for providing fit Houses for the Beneficed Clergy, and for other purposes—Was *presented* by The Lord Archbishop of Canterbury; read 1ª; to be *printed.* (No. 119.)

House adjourned at Seven o'clock,
till To-morow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Monday, May 22, 1865.

MINUTES.]—Select Committee—On Shannon River *nominated* (see page 717)

Report — Valuation of Lands and Heritages (Scotland) (300).

Supply—*considered in Committee*—Civil Service Estimates — Class II. — Salaries and Expenses of Public Departments.

Resolutions [May 19] *reported.*

Public Bills—*Resolutions in Committee*—Inland Revenue Acts.

Ordered—Drainage and Improvement of Lands (Ireland) (Provisional Order Confirmation).*

First Reading — Drainage and Improvement of Lands (Ireland) (Provisional Order Confirmation)* [163].

Committee—General Post Office (Additional Site) (*re-comm.*) * [94]; Churches and Chapels Exemption (Scotland) * [147]; Dogs Regulation (Ireland) * [127]; Ecclesiastical Leasing Act (1858) Amendment * [140].

Report — General Post Office (Additional Site) (*re-comm.*) * [94]; Churches and Chapels Exemption (Scotland) * [147]; Dogs Regulation (Ireland) * [127].

Considered as amended — Ecclesiastical Leasing Act (1858) Amendment * [140]; Partnership Amendment * [156]; Public House Closing Act (1864) Amendment * [159]; Union Chargeability [155].

PATENT OFFICE ACCOUNTS.

QUESTION.

SIR CHARLES DOUGLAS said, he would beg to ask Mr. Chancellor of the Exchequer, If the reasons which have led to the opinion he expressed (after stating that the Clerk of the Patents and the Clerk to the Commissioners of Patents may hold just as much public money as they think fit, and pay it if they think fit, and if they pay nothing at all there are no means of calling on them to account for such non-payment), that "it would not surprise him at all to find there were a great number of other officers in a similar condition," have led him to make any inquiry into such matters generally, or into any such case in particular; and whether any and what check Her Majesty's Government propose to make with regard to those other officers, if any, who may be in a similar condition with the Clerk of the Patents as regards the power of paying nothing, or holding public money in his hands just as he pleases?

THE CHANCELLOR OF THE EXCHEQUER: Sir, as the first part of my hon. Friend's question is rather long, perhaps I may as well state what has taken place. In a document in the possession of the House I am truly stated to have given evidence before a Committee of the House of Lords on the accountability of a certain public official—the Clerk of the Patent Office. The words here ascribed to me were used in point of fact by the noble Earl (the Earl of Derby) in putting a question to me, and I replied to it in the affirmative. I stated that it was unquestionably the fact that in the case of the Patent Office there was no security for the safe custody of the public money nor for its transmission to its destination in the Exchequer. I stated that to be a true description, and that I should not be surprised if other public moneys were found to be in the same condition. My hon. Friend asks me whether, holding these opinions, I have been led to make any inquiries into such cases, and I may as well state what I understand these cases to be. They have no reference to any great branch of the public revenue, but they are various funds or sums of money which are either moneys belonging to the public on their way to the Exchequer in a multitude of miscellaneous forms, or else they are moneys held upon deposit or in trust for various parties by a variety of public bodies or officers. It is with respect to these two descriptions of moneys that I gave the opinion that I was not satisfied that there was any general body of rules applicable to their safe custody. The Government have had the matter under their consideration, and I am given to understand also that it has been under the consideration of the Committee on Public Accounts. I am not aware what measure that Committee is likely to adopt. It is not a matter on which any good can be done by attempts at great expedition or despatch, and I do not think the Government will determine on their course until they learn the course of action at which the Committee on Public Accounts would arrive. Our opinion as at present advised, is that some form of inquiry sufficiently complete to insure the collection of the whole facts ought to be instituted with a view to the introduction of a better system to prevent the recurrence of cases which in some instances are those of pure public embezzlement, and in others defalcation of trust moneys for which the public is ultimately liable. The matter is at present under examination, so far as examination lies within the means of the Treasury, and as soon as our information is complete, and we know what the Committee on Public Accounts will advise, we shall take such decision as may seem advisable to us under the circumstances.

SIR JAMES ELPHINSTONE: How long has the right hon. Gentleman been aware of the existence of such cases as those to which he has referred?

THE CHANCELLOR OF THE EXCHEQUER: That is very difficult to say. I have been aware of it for many years, and have made efforts to get a better system established with respect to the particular offices, amid, I am sorry to say, great difficulties and considerable delays.

I shall be glad if the effect of the recent exposures will be to direct the attention of the public with increased earnestness to the subject, and strengthen the hands of the Government in effecting the necessary improvements. The hon. Gentleman would do well to understand that the subject embraces a miscellaneous collection of cases, some founded upon Statute and others on usage, in many cases of great antiquity.

ARMY—MILITARY RESERVE FUND.

QUESTION.

LORD HOTHAM said, he wished to ask the Under Secretary of State for War, Whether he will undertake that the Account of the Military Reserve Fund shall in future be made up to the 31st day of December in each year, so that it may be laid upon the table of the House together with the Army Estimates; and whether the Account of the above Fund is regularly audited, and by whom?

THE MARQUESS OF HARTINGTON said, in reply, that the authorities at the War Office had no objection to undertake that the Account in that case should for the future be made up to the 31st of December in each year instead of the 31st of March, which was the period hitherto selected. In reply to the second part of the question, he had to state that the auditing of that account would henceforth be placed under the direction of the Auditor recently appointed at the War Office.

ARMY — ROMAN CATHOLIC RECRUITS.

QUESTION.

MR. O'REILLY said, he would beg to ask the Under Secretary of State for War, Whether inquiry has been made as to the fact of the authorities of the Royal Artillery having directed Roman Catholic recruits not to be taken for that branch of the service; whether he will state by whom such orders were given, and what steps have been since taken to prevent subordinate authorities, not responsible to Parliament, from issuing or acting upon such orders in future; and whether general orders will be published to all Officers engaged in recruiting for the Army, to make no distinction of religion in taking recruits for any branch of Her Majesty's service.

THE MARQUESS OF HARTINGTON, in reply, said, he was glad that the hon. Gentleman had asked him this question, as it would give him the opportunity of making an explanation which he believed would be satisfactory. Inquiries had been made into the circumstances which the hon. Gentleman, in the course of the discussion on the Army Estimates, had brought before the House, and with regard to Colonel Fitzgerald, who was the recruiting officer when Lord Donoughmore's regiment volunteered to the Artillery, he was away in Canada, and Colonel Crawford, under whose immediate authority he had acted, was dead. It appeared, however, from the correspondence in the Adjutant General's Office, that no order of any such description was given to the knowledge of any of the Officers concerned, as to the religious persuasion of the recruits who were to be enrolled. Moreover, from the list of those who volunteered from Lord Donoughmore's regiment to the Artillery and other corps, it appeared that out of ninety-seven, fifty-eight were actually Roman Catholics. In addition to that, the correspondence between Colonel Fitzgerald and the Adjutant General in the previous year showed that his instructions on this point were particularly precise, and that he was then officially directed that no distinction whatever as to religion should prevail with respect to the recruits. If the hon. Gentleman would move for the papers on this subject, they would be found to bear out the statements he (the Marquess of Hartington) had just made.

RATING OF OFFICIAL RESIDENCES.

QUESTION.

COLONEL NORTH said, he rose to ask the Under Secretary to the Treasury, If the Local Rates of the Houses occupied by the Ministry in Downing Street are paid by the Ministers or the Country?

MR. PEEL replied, that no houses in Downing Street were occupied as residences but only as Government offices, consequently they were not rateable, and no rates were paid in respect to them. A payment, however, was made to the parish in consideration of their not being rateable.

COLONEL NORTH said, he thought that they had all heard of large parties being given there. He hoped his right hon. Friend would give him a distinct answer as to whether the houses in Downing Street, of which there was a beneficial occupation, paid local rates.

MR. PEEL said, he did not think there was a beneficial occupation of any of the houses in Downing Street.

COLONEL NORTH said, that a great many hon. Members must recollect having been at a party given in one of those houses when the late Sir George Cornewall Lewis was Secretary of State. He therefore asked whether that House paid local rates?

MR. PEEL said, he did not think that an official party given in a house could make the occupation of that house a beneficial occupation.

ARMY—THE MILITARY TRAIN.

QUESTION.

MR. ROGERS said, he would beg to ask the Under Secretary of State for War, Whether any change is about to made in the present organization of the Military Train; and, whether the Officers are now allowed to purchase their steps as in other Regiments of the Line?

THE MARQUESS OF HARTINGTON said, in reply, that some alterations had just been made in the organization of the Military Train, the principal of which was that the force would no more be divided into battalions, but would be formed into one regiment. The subject of making the regiment a purchase corps had also been under consideration. No final decision, however, had been come to upon that point, and if such a change were adopted, it would be gradually carried into effect, so as not to interfere with existing rights.

NAVY—RECRUITS FOR THE MARINES.

QUESTION.

MR. CORRY sad, he wished to ask the Secretary to the Admiralty, What measures have been adopted with the view of meeting the difficulty which he has stated to exist of obtaining efficient recruits for the Royal Marines, in consequence of which the numbers borne were reduced to about 1,000 men below the number voted for the service of the financial years 1863-4 and 1864-5?

LORD CLARENCE PAGET replied, that the Admiralty had met the difficulty by reducing the standard from 5 ft. 7 in. to 5 ft. 6 in.

ARMY—CASE OF LIEUTENANT COLONEL DAWKINS.—QUESTION.

MR. DARBY GRIFFITH said, he rose to ask the Under Secretary of State for War, Whether there is any objection to lay the proceedings and the opinion of the Court of Inquiry lately held on the case of Lieutenant Colonel Dawkins, Coldstream Guards, upon the table of the House; and whether, under the extraordinary circumstances of one of his accusing superior officers having himself committed a gross violation of the 18th and 78th Articles of War in having placed and detained Lieutenant Colonel Dawkins under arrest for a period the duration of which, without trial, was illegal, although the occurrence being at Aldershot every facility was afforded for a Court Martial to be conveniently assembled, for which violation of the 78th Article of War such superior officer is himself "liable to be cashiered," his Royal Highness the Commander-in-Chief will suspend his proposed immediate recommendation of the exercise of the Royal prerogative to place Lieutenant Colonel Dawkins on compulsory half-pay until those documents are printed and distributed to Members of this House. He agreed with those hon. Members who thought that subjects of this kind ought not to be brought before the House unless there was the gravest necessity for adopting such a course; but in this case there was every reason for avoiding delay, and he had privately sent notice of his Questions to the noble Lord (the Marquess of Hartington). The first he heard of this case was on Saturday morning, when he received a note, accompanied by copies of some official documents, from Lieutenant Colonel Dawkins. That gallant gentleman asked him to take up the case. He was not disposed to do so, as there were so many gallant Gentlemen in that House who knew more about army matters than he did, and he, therefore, recommended Lieutenant Colonel Dawkins to communicate with some of those hon. and gallant Gentlemen. Lieutenant Colonel Dawkins subsequently informed him that there was some professional delicacy in respect of such matters, and earnestly requested him to act in the matter. He consented to do so, as Lieutenant Colonel Dawkins had received a notice that if he did not give an answer by one o'clock to-day, whether or not he would sell his commission, he would be placed on half-pay in the *Gazette* to-morrow. He felt as if he was in the presence of a man ordered to be executed. [*A laugh.*] Yes, for if the decision of the military authorities was carried out in this case it would be the professional extinction to a gallant officer who had seen considerable service and had deserved well of his country. It appeared that after for many years holding the appointment of Lieutenant Colonel in the Guards, on one occasion, in 1859, when returning from the Continent, he was late for parade. For that he was rebuked by the Colonel commanding the battalion in presence of juniors. Colonel Newton said—

> "Others should not suffer because Lieutenant Colonel Dawkins ran riot, and that he would make Lieutenant Colonel Dawkins parade so many times a-day."

Lord Frederick Paulet had written him a letter on this occasion proving a gentlemanlike treatment of the case in these terms—

> "D 2, Albany, May 21, 1859.
>
> "Dear Dawkins,—If you will come to the Horse Guards, I will see you at three o'clock. The orderly room shall be cleared of all junior to yourself, but I shall request Colonel Newton to be present.—Yours truly,
>
> FREDK. PAULET."

But that promise had not been carried out, for a junior was present when the rebuke was administered. Then came the affair of the Queen's ball. The House were aware that when Her Majesty was dispensing her hospitalities three or four officers of the Household troops at a time were selected for invitation. On one occasion in 1860, an invitation to a ball given by Her Majesty was sent to Lieutenant Colonel Dawkins at some time between eleven in the morning and three in the afternoon. He was out when it came, but on his return sent to say he would avail himself of it. He was, however, informed that as he could not be found it had been sent to another officer. Surely, no hon. Member would send a family invitation to a leg of mutton in the uncourteous way in which the invitation to Her Majesty's ball had been first sent and then withdrawn before an answer could be received in this case? These letters on the subject passed between Lieutenant Colonel Dawkins and Captain Monck, the Adjutant—

> "May 15, 1860.
>
> Dear Monck,—Thanks for your letter of explanation about the invitation. You knew I was in town very lately. I may be mistaken, but it seem unlikely and unusual that you did not know what number of officers of each rank could be invited before the day their names must go in; and if so, then you make my receiving the invitation depend on my being accidentally at home between eleven and three o'clock, or thereabouts, or one day; and, instead of making any acknowledgment of having perhaps accidentally or negligently sent me a notice of which it was not probable any one could avail themselves, you actually tell me it is my own fault altogether. I send your first envelope that you may see that you did not put 'Guards' Club' on it, or 'To be forwarded,' &c. Yours truly,
>
> W. G. DAWKINS."

This is a letter that any one would have been likely to have written under the circumstance—

> "Guards' Club, May 17, 1860.
>
> Dear Sir,—I beg to acknowledge the receipt of your private letter of the 15th inst. The contents being of such a nature as, in my opinion, an officer in my position ought not to receive from another, I shall feel it my duty, unless you withdraw the whole of it (which I now wish to give you the opportunity of doing), to lay the correspondence before the commanding officer.
>
> Yours faithfully,
>
> RICHARD MONCK."
>
> Lieutenant Colonel Dawkins,
> Coldstream Guards."

Subsequently the matter was brought before Lord Rokeby, and his Lordship decided that the Adjutant was justified, and that Lieutenant Colonel Dawkins was entirely wrong, and I think that it will not be denied that that decision betrayed the grossest partiality on the part of Lord Rokeby. Then came the affair at Aldershot. A luncheon was given there, and Lord Rokeby attended. It appeared that his Lordship made certain advances to shake hands with Lieutenant Colonel Dawkins. Either from not observing those advances, or from not wishing to avail himself of them, Lieutenant Colonel Dawkins did not take his Lordship's hand, but merely offered a military salute. The consequence of this presumed offence was that he was placed under arrest for eleven days. Now, the officer who had visited Lieutenant Colonel Dawkins with this punishment had himself in doing so committed a grave military offence, for by the 78th Article of War every person must be brought before a court martial within eight days after being placed under arrest; whereas Colonel Dawkins was detained under arrest for eleven days. Now, there were the greatest facilities on the spot for an inquiry by court martial, and, therefore, there was not the slightest excuse for putting him under arbitrary arrest for eleven days. The offence for which he was eventually tried was one unknown to military law and a Court of Inquiry was a tribunal which had never been sanctioned by military law, or by the legislation of that House. On one occasion he (Mr. Darby Griffith) had been present at the proceedings of one of these Courts of Inquiry, and he had never seen a tribunal so one-sided; for the accused person was not permitted to cross-examine witnesses who appeared against him. *Simmons on Courts of Inquiry* stated that—

> "The evidence, or rather information, before a Court of Inquiry may, as already observed, be entirely *ex parte;* at all events, the character of an officer is not protected, however invidious the attack, by the solemnity of an oath. Surely, then, justice forbids investigation by a Court of Inquiry which may countenance malicious accusations which it cannot try, or give rise to prejudices which it cannot allay; particularly as the Members who compose the court, if such it can be termed, are so limited in number, not subject to challenge, and irresponsible to any superior tribunal for the opinion they may give."

In a proceeding of this sort was it within the prerogative of the Crown to place an officer on half-pay without a court martial being held upon him? He thought not. If an officer could be got rid of in this way the Government of the army was a pure despotism. The opinion of this Court of Inquiry was secret, and he wished to ask whether it was intended to extinguish the military career of an officer of distinction, who had well served his country, upon secret information? Did the noble Lord the Under Secretary for War know that the Court was not unanimous? If the noble Lord was not aware of that circumstance, he could inform him that that morning Colonel Dawkins had received the following letter:—

> "3, Morpeth Terrace, S.W., May 22.
> Dear Colonel Dawkins—As you state that my opinion 'is widely known,' there can be no necessity for my refusing to tell you that I signed the proceedings of the court of inquiry under protest, reserving to myself the right to state my having done so before the Members of the court. I do not, however, feel justified in stating anything further without consultation with them."

That communication was signed by "Henry De Bathe," an officer of great standing and distinction. In a case of this peculiar kind the House of Commons would scarcely refuse to support the endeavour he was making, that the final adjudication should be deferred until the House of Commons was in possession of the papers. In the course of the proceedings before the Court of Inquiry, Sir Henry Bentinck, Colonel Percival, and General Upton, the present Lord Templetown, gave testimony highly favourable to Colonel Dawkins. The latter sent him the following letter:—

> "Government House, Devonport, Feb. 19, 1865.
> Dear Dawkins,—In answer to your note received this morning as to whether I consider that during your whole service you were constantly taking offence where none was meant, and habitually disrespectful to your commanding officers, I am quite ready to state that I had never occasion during my period of service in the regiment to find fault with you for such conduct, neither did I consider that you were liable to the imputation. I became Acting Major in the 1st battalion (Lieutenant Colonel Dawkins's battalion) in 1849. I was, I think, such in the middle of that year, and remained in it until I became Lieutenant Colonel of the regiment, in the beginning of 1855.
> Yours truly,
> TEMPLETOWN."

That noble Lord was well known to Members of this House, as having held a seat here for several Sessions, and they were able to judge of the value of his evidence in a subject relating to the character of an officer and a gentleman. He would not further trespass on the House—he was deeply grateful for the sympathy they had shown towards this painful and trying case. As a matter of form, he would move the adjournment of the House, and would leave the matter in the hands of the Government and of the House.

Motion made, and Question proposed, "That the House do now adjourn."—(*Mr. Darby Griffith.*)

COLONEL NORTH: As a Member for the county in which my gallant Friend (Lieutenant-Colonel Dawkins) resides, I was asked to bring forward this case, and to have done so would have given me great satisfaction, had I not felt that the House of Commons was not exactly the place to discuss the discipline of the army. In answer to that application I replied that whenever the interests of officers as a class were concerned I had always found the House of Commons most willing to forward them; but that they would not entertain the question in the case of individuals. Having read the papers placed in my hands by Colonel Dawkins, I am sure every officer acquainted with the facts will feel that that gallant Officer has been most hardly treated. Still I think the House is not the proper tribunal to decide the question. It is the duty of the Commander-in-Chief and other officers to see to the discipline of the army, and they are amenable to the Sovereign. I must, however, say I think the confinement of Colonel Dawkins for eleven days under arrest was a great hardship, as well as contrary to the articles of war. The offence—namely, not shaking hands with his superior officer—can come under no known military rule; and it appears to me that Colonel Dawkins did rise and salute his general officer, which is all he was called upon to do. As Colonel Dawkin's father was a great friend of mine, I should have been only too happy to take the subject up, had the House of Commons been the proper place for such a discussion.

THE MARQUESS OF HARTINGTON: I hope the House will allow me to make a short explanation on the subject—not in reply to the speech of the hon. Gentleman (Mr. Darby Griffith), but merely to explain the circumstances relating to the Question he has put. It is quite true that I received this morning a communication from the hon. Member, stating that he proposed to put a question to me to-night, asking whether I would lay upon the table the proceedings of the Court of Inquiry, and at the same time enclosing a very long statement containing matters of fact, and asking to know whether under the circumstances the Commander-in-Chief would suspend his decision on the case of Colonel Dawkins until the papers were in the hands of Members. I privately informed the hon. Member that I should be prepared to answer the first part of his question this evening. That answer is, that the matters which had to be investigated by the Court of Inquiry were matters relating solely and entirely to questions of discipline, and as to Colonel Dawkins's fitness for command; and that under these circumstances Lord De Grey did not think fit to lay upon the table of the House the proceedings of the court. I beg further to inform the hon. Gentleman that the remainder of his question is so unusual in point of form that he must give due notice of it upon the Votes of the House if he requires an answer. The hon. Member has read the question which he proposed to put to me, and I think the House will see that it contained not only what is extremely unusual in a question asked in this House—an allegation of certain facts—but also a very grave charge against an officer of high standing in the army. It seemed to me that you, Sir, might think it irregular that such a statement should be made in the form of a question, and also that it was desirable that other officers who might be acquainted with the circumstances should have an opportunity of seeing by the notice-paper of the House what was the charge that was made against Lord Frederick Paulet, and of making any statement that they might wish in reply to that of the hon. Member for Devizes. I therefore thought myself perfectly justified in declining to answer this question until ample notice had been given of it to the House. The House will further see that, as it is not our intention to lay the proceedings of the Court of Inquiry upon the table of the House, it would be useless to request the Commander-in-Chief to delay his decision until those proceedings are in the hands of Members. What has taken place, as far as I am aware, is this—the Commander-in-Chief, having read the report of the Court, came to the conclusion that it would be for the interest of the service that Colonel Dawkins should be placed on half-pay, and he gave Colonel Dawkins the opportunity of retiring. Colonel Dawkins—and this is the only part of the transaction of which I have any knowledge whatever—appealed to the Secretary of State against the decision of the Commander-in-Chief, and requested that he might be tried by court martial. Lord De Grey, I believe, after reading the report of the Court, and after consideration of all the circumstances of the case, came to the conclusion that it was not desirable to ask the Commander-in-Chief to order a court martial. That is all with reference to this case of which I have any knowledge whatever. The hon. Gentleman has made a statement in defence of Colonel Dawkins. I shall on this occasion neither deny nor admit any one of his assertions. I have not read the proceedings of the Court of Inquiry. I know nothing whatever of the case; and it is quite impossible for me, without having had any notice whatever of the statement which the hon. Member was going to make, either to reply to or to admit anything which he has said. If the hon. Gentleman and the House think that it is desirable that this subject should be debated upon a future occassion I shall be quite ready to enter into the discussion; but it does seem to me that it would be not only irregular but also extremely unfair to the officers concerned that any discussion of this case should take place when neither I, whose duty it would be to defend the course taken by the Commander-in-Chief, nor any officers who might have a knowledge of the circumstances and might desire to say something on behalf of the officers concerned in it, could have an opportunity of being prepared to speak upon the subject. I shall, therefore, not enter further into the case, but will simply state that the Secretary of State does not consider that it would be desirable to publish the proceedings or to reverse the decision which has been come to by the Commander-in-Chief after full consideration.

Sir JAMES FERGUSSON: I do not intend to depart from the principle of the noble Lord's request that a discussion should not be taken on the merits of this case, upon this or perhaps upon any other occasion, for I agree with him in thinking that the House of Commons is not the place to discuss questions of military discipline. But I trust that the House will allow me to say a few words, because this may be the only opportunity which I or any other of Colonel Dawkins's friends may have of saying that which may mitigate to him or his family the grievous consequences which may result to them from the step which has been taken by the Commander-in-Chief. I do not desire to enter into the circumstances of this case—with which I believe I am fully acquainted—but I believe that I speak the sentiments of the greater part of those who are so acquainted with the matter when I say that there is deep sympathy with Colonel Dawkins. He is a man who has passed through a long period of service with unblemished honour and has many warm and sincere friends. I myself had the honour of serving with him in the Crimea, and knew him for many years before, I was on detatchment duty although in another regiment under his immediate command, and I can only say that not only did I never suffer from any infirmity of this officer's temper, but that it was the close intimacy which I then formed with him that has led me to continue and to be proud of the friendship which I always felt for him. I shall not be contradicted by any one—even by the authorities—when I say that, even if Colonel Dawkins should be removed from the full pay list, neither His Royal Highness the Commander-in-Chief, his superior officers, or any one who has known him, will be able to allege any single fact against him which will at all detract from his reputation, or cause him to be looked down upon in after life in consequence of that event. Allow me to say that while I believe that this is a hard case and that deep sympathy is felt for Colonel Dawkins, I do not mean to allege against his Royal Highness that he has strained the law or refused that gallant officer a fair trial. Indeed, I believe that His Royal Highness took the only course it was possible to adopt in appointing a Court of Inquiry of superior officers, not belonging to Colonel Dawkins's own regiment, to examine into the charges and to give him a fair opportunity of answering them. The decision of that Court was against Colonel Dawkins, and it is upon that that His Royal Highness has acted; and therefore, while I am sure that those who know the case will bear out what I have said as to it being a hard case, I am sure that there is no allegation which can be made against the authorities at the head of the army, without reference to the regiment concerned, of harshness in this matter. But I joined with my hon. Friend the Member for Oxfordshire (Colonel North) in advising my gallant friend Colonel Dawkins not to bring this matter before the House, for although it would be a satisfaction to him to have his case fairly stated, I feel that it would be a disadvantage to the service at large that the House of Commons should attempt to constitute itself a court of appeal in military cases.

Colonel KNOX: I agree that this is not the proper tribunal for the decision of this case; and, therefore, although I cannot help thinking that Colonel Dawkins has been harshly treated by some parties, I should not rise to take part in this discussion but for a letter which was placed in my hands this morning, in which it is stated that—

> "The exercise of the Royal prerogative to place Colonel Dawkins on half pay, threatened him by the Adjutant General, is, as he is informed, considered by Mr. Headlam to be illegal in his case without a court martial."

If the Judge Advocate has given that opinion, or thinks that, I think he is bound as a man to say so in the House of Commons. If it is not legal to take away Colonel Dawkins's commission I do not think that any Member of the Government should sit there knowing that to be the case and allow it to be done.

Mr. HEADLAM: I have given no opinion whatever upon the subject, and there is not the slightest authority or shadow of foundation for the statement that the hon. Member has read.

Colonel KNOX: Is it or is it not legal to put a man upon half-pay compulsorily except upon a medical certificate of incapacity, without trying him by court martial?

Mr. HEADLAM: I decline to answer the legal question.

Sir LAWRENCE PALK: The Judge Advocate has just declined to answer a question in which every Member of the House has great interest, because it is a question which he might fairly be expected to answer; and, although it would be highly improper for us to sit as a Court of Appeal upon military matters, it would be still more improper for us to pass over anything that effects the liberty of the subject. The question that is before the House seems to me to be simply, is the act that has been done by the Commander-in-Chief a legal act or not? And that is a question which the Judge Advocate seems to me to be bound to answer. It is upon that that the whole question rests. If it is a prerogative of the Crown, as I have always understood, to place any officer upon half-pay without giving any reason, then unquestionably this is a matter with which the House of Commons cannot deal; but if, on the other hand, the Commander-in-Chief, or any Officer or Judge in this land acts illegally, then I say that it is the bounden duty of the House of Commons to inquire into the matter, and we are entitled to have the opinion of the Judge Advocate upon it. Why, Sir, as I understand the matter, by to-morrow's *Gazette*, rightly or wrongly, this officer, who has had high testimony borne to his character, will be placed upon half-pay. Surely, at such a moment, when he appeals to the House of Commons, it is not improper or indecorous to ask the Judge Advocate General whether that will or will not be a legal act.

Colonel DICKSON: It is with the utmost diffidence and with a painful feeling of responsibility that I rise to make a few remarks upon this case; and I should not have risen if it had not been for the unsatisfactory answers which we have received from the Judge Advocate General, and the short time which is left before the case of this unfortunate officer will be disposed of. I have always thought, and am firmly of opinion, that this House is the last place which ought to be made a tribunal of appeal upon any point of military discipline. At the same time we have heard the testimony which has been borne to the character of this officer. He himself asked me to bring his case before the House, and I directly refused to do so, for the reason which I have just stated; but I did satisfy myself of the facts of the case by reading through the whole of the correspondence relating thereto. I do not mean to trouble the House with the evidence either for or against this officer; but I appeal to the noble Lord the Under Secretary for War and the Government to assure us that no irrevocable step shall be taken with regard to this officer's position until an opportunity has been given for further inquiry. I will only allude to the letter relating to the invitation to the Queen's Ball to say that it appears to me that Lord Rokeby seems to have come to a most extraordinary decision as to this officer's letter to his Adjutant. The only charge against Colonel Dawkins is incompatibility of temper, and constantly disagreeing with his brother officers. Now you have heard the testimony of one brother officer; I can repeat what I have heard from many officers of the Guards with reference to Colonel Dawkins, and I believe that there never was a more unfounded accusation than that of incompatibility of temper which was brought against him before the Court of Inquiry. All his disagreements with officers have been with Lord Frederick Paulet, Lord Rokeby, Colonel Monck, Captain Fortescue, the Adjutant of the regiment, and Colonel Newton, commanding the brigade. I have only heard one side of the question, but I have heard enough to convince me that it is desirable that we should hear both sides before this officer's high character is allowed to be damaged beyond redemption; and I have no hesitation in saying, both from his own statements and from his acts, that the conduct of these officers, with whom he is supposed to have disagreed—Lord Frederick Paulet, Lord Rokeby, Colonel Monck, Captain Fortescue, and Colonel Newton above all others—has been most unjustifiable and most tyrannical, and if this case is allowed to pass without interference this officer will be the victim of one of the worst systems of oppression that was ever carried on in the army. Colonel Dawkins was placed under arrest for eleven days for refusing to shake hands with an officer, who, although his superior officer, had, he believed, acted harshly towards him; and what was the verdict pronounced by the Court of Inquiry upon his case, the charge on which he was tried being that he had said the officer in question had made false statements against him? The verdict of the Court was—and here I may observe that Colonel Dawkins had never been furnished with the written opinion of the Court—as far as I am able to gather, that he—

> "Had not proved the falsification of the statements he adduced, and that as he had placed himself at variance with so many officers, senior and junior, his command of a battalion of Guards was not beneficial to the service."

That is the opinion of the Court of Inquiry, and now let us see what is the opinion of his Royal Highness the Commander-in-Chief. It is that—

> "He considered that there was nothing against Lieutenant Colonel Dawkins's character or honour as a gentleman; that Lieutenant Colonel Dawkins's statements as to falsification were partly true; that it was not a case suited for a court martial; but that after the opinion of the Court he gave Lieutenant Colonel Dawkins the option of selling his commission, otherwise he would recommend Her Majesty to exercise her prerogative of placing him on half-pay."

Now, as I said before, I utterly object to this House being made a Court of Military Appeal, but believing this to be a case of gross persecution on the part of certain officers against Colonel Dawkins, and fearing that his Royal Highness the Commander-in-Chief may, perhaps, have been worked on by those officers, who are men of high rank and influence, and rather biassed in his opinion in consequence, I do hope that the House will insist on causing the Government to pause until this case has been fairly sifted, and will not permit a highly distinguished and honourable officer to be damaged in this way.

MR. MALINS: If this were a purely military question, I should not have addressed a single observation upon it to the House. Nor should I rise even now but for the accidental circumstance that I happened to have been acquainted many years ago with the father of Colonel Dawkins, who was a distinguished officer who served at Waterloo, and who died in honour and respect in the early part of the present year. I know well the high position which Colonel Dawkins's family hold in the county of Oxford; and I understand the situation of the member of it whose case is now under consideration to be this, that being to-day a major of a battalion of Guards, the alternative open to him at one o'clock to-morrow will be either to sell out of his regiment, or consent to be placed upon half-pay. Now the necessity of accepting either alternative will, as I understand it, be regarded by Colonel Dawkins, his family, and his brother officers, as casting a stigma upon his character as a soldier for the rest of his life. The matter, therefore, is one which is clearly deserving of the most mature consideration; and no step ought, in my opinion, to be taken in it by the Government, without the perfect certainty that the country, on whose behalf they act, will feel that they have done what is just. I was always under the impression that there was one right inherent in an officer, of which he could not be deprived, and that is that when charged with any misconduct, he is entitled to have the charge investigated by a court martial. I am not now going to give any opinion as to whether Colonel Dawkins was right or wrong, beyond saying, that we have had the highest testimony in his favour, from officers who served with him, and that I myself, though not personally acquainted with him, have heard from many quarters that he is an officer of great ability, and that he greatly distinguished himself in the Crimea. Indeed, no one, I believe, will venture to say that he is not an officer of the first class; and the only charge, as far as I can see, against him is that he has failed to make himself so agreeable as he ought to do. That may or may not be the case; but I would remind the House that the hon. and gallant Member for Ayr (Sir James Fergusson) has told us that he served under Colonel Dawkins, and that he never heard any complaint made of him in this respect. It appears, I may add, beyond all question that an act of illegality has been committed against Colonel Dawkins, from the fact that he was placed under arrest for eleven days, not because he refused to shake hands with a superior officer, but because he is supposed to have refused to do so—for we have no positive evidence on the point. Now, not only is the honour of the army dear to the country, but the country has a right to demand that members of that profession should be treated with justice and equity. If, therefore, there be a shadow of doubt as to whether the full measure of justice has been meted out to Colonel Dawkins or not, it is but right that his case should form the subject of further investigation, and my sole object in rising was to impress upon the Government that there should be in such a matter no undue haste. If there should be undue haste, it is quite clear that much dissatisfaction will be created, and I strongly urge upon the Government the expediency of extending the time for pronouncing a decision. Delay can do no harm, while it may have the effect of preventing an injustice from being done to a distinguished officer. If he demands a court martial, it involves a question of the utmost importance whether he has or has not a right to be tried by the proper tribunal to deal with military offences, and by its means to remove from himself a stigma which he feels as a soldier must rest upon him for life, should the case be allowed to remain where it now stands.

VISCOUNT PALMERSTON: Sir, I know nothing of this case, and I did not intend to say a single word to the prejudice of Colonel Dawkins; but I must protest against the unfair, irregular, and inconsistent course which has been pursued by certain hon. Gentlemen on the other side of the House upon this occasion. If they had thought that the case of Colonel Dawkins was one with regard to which this House was a competent tribunal to appeal to, and if they intended to make such an appeal, they ought to have given due notice on the point to those whose duty it is to defend the course taken by the military authorities, in order that they might prepare themselves to meet this attack and defend what has been done. Hon. Gentlemen, I may add, while they set out by saying that the House of Commons is not a court of appeal on military questions, yet have one after another made appeals—*ex parte* appeals—founded on the information which they happened to receive as to what has passed, and have endeavoured to obtain the opinion of this House in favour of the person whose cause they have espoused. Not only have they done this, but the hon. and gallant Gentleman who spoke last but one, not content with defending Colonel Dawkins, made a violent attack on other officers, whom he accused of being tyrannical and unjust.

COLONEL DICKSON: I never said anything of the kind. What I stated was, that I had heard only one side of the question, but that I had heard sufficient — if the statements were not contradicted by counter-statements on the opposite side—to show that those other officers had been guilty of tyrannical conduct. I therefore urged upon the Government the propriety of not pressing the matter forward too quickly.

VISCOUNT PALMERSTON: But that makes out my assertion. What can be more unfair, I would ask, than having heard only one side of a question, not knowing what may be urged in reply, relying merely on what this officer said and that officer said, to make observations which imply a charge of tyranny against certain officers, as the hon. and gallant Gentleman has done? ["No, no!"] I think it is the duty of every man to abstain from applying such a word as "tyrannical" to any officer before he has ascertained whether the statement on which he has founded the epithet is correct, and that the right course would be to wait to see whether these *ex parte* statements were borne out by the facts of the case? For my own part, I can only say that I very much regret that so many hon. and gallant Members have been led away, by a laudable and honourable interest on behalf of a brother officer, to adopt a line of conduct which I think is not only not quite fair in itself, but which is inconsistent with the doctrine which they themselves laid down when they said this House was not a court of appeal for military questions. If this House be not a court of appeal on military questions why have they been making it such a court of appeal? The course they have taken cannot be attended with any result, and they would, in my opinion, have done better if they had abstained from a mode of proceeding, which is, I contend, entirely at variance with the principle on which we ought to act in matters of this kind.

GENERAL PEEL: I do not exactly know what the precise question is on which hon. Members propose to divide the House; but, if I mistake not, it is whether this House should or should not now adjourn, and that on the plea that if the decision on this matter be not postponed, Colonel Dawkins will not have the opportunity of appealing to have his case further investigated. Now, I know nothing of the case of Colonel Dawkins but what I learnt on Sunday week from a statement of his own in one of the military newspapers; and I would observe that the publication of that statement was, at all events, contrary to military usage. I understand that this gallant officer had at the time made an appeal to the Secretary for War, and that before he received an answer to that appeal he published his case in the press. In my opinion, it would have been much better if he had waited for the answer to his communication addressed to the Secretary of State. It is said, that the House of Commons ought not to interfere with the discipline of the army. In that view I most cordially concur. If you are not satisfied with the conduct of those who administer the affairs of the army, express your want of confidence in them. If you do not approve the mode in which his Royal Highness the Commander-in-Chief discharges his duties, take the same course. But what is the case here? I was a Member of the Committee on Military Organizations, and it was there attempted to press on his Royal Highness that in every case he should select an officer to command a regiment. His Royal Highness declined that offer. But surely, when he finds a man who he considers is not fit to command a regiment, it cannot be contended that he is not to say, "When it comes to your turn I will not place you in command." It is but just to the regiment, it is but kind to the officer himself, that he should do so. In this case the duty is not solely thrown on the noble Duke, for in the opinion of competent officers this officer is not fit to command a regiment, and ought to go on half-pay. I cannot imagine that the Judge Advocate should have had any difficulty in answering the legal question put to him whether it was in the power of the Crown, by its own authority, to place an officer on half-pay. I think I could mention a case in point—that of the gallant officer commanding the 15th Hussars, who was placed on half-pay without undergoing a court-martial. In this case I do not see exactly what we are to divide about. Do you propose to appoint a Committee of this House to inquire into this question? I must say, with regard to the manner in which this question has been brought forward without notice, that nothing could be more unfair to the authorities, or to those officers whose names have been incidentally mentioned; and I have every reason to believe that if they were heard, the House would obtain a very different view of the case from what they now have in the statement of Colonel Dawkins, which is the only one before them.

Mr. W. O. STANLEY: I only heard at five o'clock this evening that this question was to be brought forward. Having once served in the Guards, and having known and served with the father of this young man, although with him personally I am not acquainted, I rise to say a few words. What I wish, and what I believe this House and the country would wish, is that this officer should have a fair trial. I have always been one who deprecated Courts of Inquiry, considering them the most unfair and tyrannical courts that can be constituted; but I will not give the House my own view. Asking the House to remember that many of the circumstances inquired into by this Court happened more than three years ago, I will read the opinion of Mr. Simmons, the author of the work on Courts Martial, who writes thus as to Courts of Inquiry:—

> "It is not to be presumed or imagined that any motive but the honour of the army and the benefit of the service can influence the Crown to establish a Court of Inquiry under any circumstances, or after any period; but it is too true that other motives may possibly actuate commanding officers, who in their daily intercourse with the world at large are brought in contact and by the usages of society placed on a footing of equality with the same men whom on points of duty and on parade they are called on to command and control. The evidence, or rather information, before a Court of Inquiry may, as already observed, be entirely *ex parte*; at all events the character of an officer is not protected, however invidious the attack, by the solemnity of an oath; nor can he under any circumstances, after the time limited for a court martial by the Mutiny Act, obtain a hearing of the case by any tribunal competent to decide on it. Surely, then, justice forbids investigation by a Court of Inquiry, which may countenance malicious accusations of which it cannot pave the way for trial, or give rise to and foment prejudices which it cannot allay, and particularly as the members who compose the Court, if such it can be termed, are so limited in number, not subject to challenge, and irresponsible to any superior tribunal for the opinion they may give."

I will not detain the House with any further observations of my own. Reasons could not be more strongly put than those which I have read. I hope the House, and I hope Her Majesty's Government will consider well before they inflict a serious injury upon an officer who served his country well in the Crimea, and will grant him what he ought to have—a fair trial by a court martial.

Mr. BRIGHT: The noble Lord at the head of Her Majesty's Government has thought proper to read—or rather to speak—a lecture to the hon. and gallant Gentlemen opposite and to charge them with gross inconsistency in bringing this question before the House of Commons, whilst they at the same time admit that the House of Commons is not a good and proper court of appeal to discuss military matters. Perhaps it did not occur to him that that very inconsistency was an argument in favour of the strength of their case; because we may take it for granted that those Gentlemen would not have brought this case before the House holding that opinion—an opinion with which I must say I cannot altogether concur—if they had not thought it one of extreme hardship. I think the hon. Gentleman the Member for Devizes (Mr. Darby Griffith) who introduced this subject, stated that he was principally induced to mention it in the House to-night because if the subject had not been mentioned here to-night it would afterwards have been too late to do so—and that in part the character, and certainly the status, and in some degree the pecuniary position, though that consideration is not of principal importance in this case—of a respectable and honourable man would consequently be put in jeopady. I think the hon. Gentleman said that in this Court of Inquiry five officers were concerned, and that of those five officers one protested against, and another did not agree with the conclusion arrived at. There were, therefore, three Members to two in a Court of Inquiry of such a nature that no one appears to regard it with much respect, and by their decision—with which, to a considerable extent, the Commander-in-Chief disagrees—an officer of the army is to be displaced, and to some extent—I say it without offence to those Gentlemen—sacrificed. What the hon. Gentleman the Member for Devizes asks is that the noble Lord at the head of the Government would take this matter into his consideration, and prevent anything being done, in haste and without consideration, that might inflict great injustice. And now one word as to the bringing of this case before the House. We all feel that we are not competent to go into the details of the question, or to come to a decision upon them. We are not, however, asked to give a decision upon this case. We are only asked for certain delay and some re-consideration. I should be very sorry to say what the noble Lord at the head of the Government said with regard to bringing these matters before the House of Commons. Although there are hundreds of cases which it would be exceedingly inconvenient to bring before this House, yet I maintain that this Honse of Commons is a court of appeal in every case where injury has been sustained; and the time may come — it probably will come—when the army will be placed more under the control of this House than it is at present—but whether such should be the case or not this is not the time to discuss that question. I undertake to say that, according to the Constitution of this House, and from the position which it occupies in this country, there is no case of grievance in any department of the public service—there can be none in the army itself—which this House is not competent to consider, and, if the case demands, provide a remedy for it. I have, therefore, risen to express my entire dissent from the opinion expressed by the noble Lord with regard to that matter, and to state my opinion that this House ought to be maintained by its Members in all time as a Court to which the highest and the lowest of the people of this country can come for the redress of their grievances.

VISCOUNT PALMERSTON: I beg leave to state that the hon. Member cannot have been attending sufficiently to what I said. I quoted the statements of hon. Gentlemen opposite, and I made no such statement on my own part. If I were to state my own opinions, they might, perhaps, be found to tally much more with those of the hon. Member who has just sat down than with those of hon. Gentlemen opposite.

MR. DARBY GRIFFITH: In case the Government do not grant the reasonable delay that has been asked for I shall adopt the unusual course of dividing the House upon this question.

SIR JOHN SHELLEY: I do hope we shall have some answer from the Government—some pledge as to delay. As matters stand it will be too late to take any action after one o'clock to-morrow. As an old soldier I appeal to the Government to do justice in this case.

SIR GEORGE GREY: Notwithstanding what has just been stated by the right hon. and gallant Gentleman opposite, the House seems to be wishing now to interfere with the discretion of the Commander-in-Chief to this extent—that Her Majesty is never to be advised to place an officer on half-pay, so as to prevent his promotion in the regiment, unless he has done something to subject himself to the articles of war, or to expose himself to a court martial. I know nothing of this case except what I have seen in the newspapers, and not so much of their contents as some hon. Members who have spoken; but if I have collected the facts correctly they amount to this—that the Commander-in-Chief has thought it necessary to prevent an officer from assuming command of a Battalion of Guards, not because he has done any act which would subject him to trial by court martial, but because, under the peculiar circumstances—from infirmity of temper—he was not thought fit to be intrusted with that command. Is the House of Commons prepared to say that, under such circumstances, the Government ought to interfere with the discretion of the Commander-in-Chief?

SIR HENRY STRACEY: Far be it from me to say anything in deprecation or depreciation of the Duke of Cambridge. He doubtless acted on the report he received as the result of the court of inquiry. When every Member of the Administration pleads ignorance of this case, and the Commander-in-Chief has said that the allegations made by Colonel Dawkins are partially true, it does seem to me a very hard case that this officer will be displaced to-morrow, and that nobody will undertake to do anything in the meantime.

MR. KINNAIRD said, that if the Government refused to interpose to procure some delay the responsibility rested on the Government; and as the Government were responsible to the House of Commons, the House had the means of enforcing redress.

MR. WALPOLE: I should like to understand what will be the position of hon. Members if we divide upon this question. As the case has been argued it seems pretty plain how we ought to proceed with reference to the great principle maintained on both sides of the House. Most people will, no doubt, agree that a question of the discipline of the army ought not to be interfered with in any way by this House; and, on the other hand, I think it is true, as has been stated in the debate, that if a case of grievance arises this House has the power to interfere. Then I agree with my right hon. Friend the Member for Huntingdon (General Peel) that, as in that case a question of confidence is raised in the head of the Department, it ought not at any rate to be decided without ample notice being first given. I should be sorry to be misunderstood as to the vote which I am about to give. But the Government will give me leave to say that there is an intermediate course they might adopt by which they might avoid the division and remove the difficulty, namely, by their undertaking to represent to the head of the Horse Guards that the case should be further inquired into.

SIR CHARLES DOUGLAS wished to ask the noble Lord (the Marquess of Hartington) a question of some importance with reference to this subject, which had come to his notice within the last five minutes. The noble Lord appeared to think that notice ought to have been given of the Question before the meeting of the House. Now, he wished to know if it were true that the gallant Colonel whose case was before the House only had notice given to him on Friday last to make up his mind within three days what to do. And he wanted further to know whether the House of Commons was not a proper place to discuss such a grievance when it was brought before it? He regretted that it had come before the House on the Motion of Adjournment, because they could not by it really express their opinion upon the subject. He asked the Government whether what he had been told was true or false? He knew nothing of Colonel Dawkins, and had never heard of him till that day, but he must say, if what he had heard was true, a grosser piece of injustice had never been committed.

THE MARQUESS OF HARTINGTON: Though I cannot give a positive answer to the question which has just been put to me, yet, as I may be able to throw some light upon it, perhaps I may be allowed to say a few words, though out of order. I think what the hon. Member for Warwick has just stated cannot be true, because the decision of the Commander-in-Chief upon the recommendation of the Court of Inquiry must have been communicated to Colonel Dawkins more than a week or fortnight ago; as after the decision was communicated to him he forwarded an appeal against it to the Secretary of State for War. The result of that appeal I have been able to inform the House; but I cannot say whether Colonel Dawkins received any communication from the Commander-in-Chief so late as last Thursday or Friday; but the fact of the Commander-in-Chief's decision must have been known to Colonel Dawkins a fortnight ago. I cannot understand by whom it is the wish of the House this matter should be re-considered. Almost every speaker has declined to bring it before the House, and the case can only be re-considered by the authorities by whom it had been already considered. [Hon. MEMBERS: By a court martial.] Hon. Members say by a court martial, but the decision as to whether the case shall go to a court martial or not can only be undertaken by the Commander-in-Chief and the authorities of the Horse Guards, by whom the question has already been decided. They will know what has been said in the House of Commons, and in any course they may take they will act on their own responsibility, but it is quite impossible to give any pledge that the subject shall receive any further consideration.

MR. H. BAILLIE asked whether Colonel Crawley's case had not been first inquired into by a Court of Inquiry, and then by a court martial.

MR. DARBY GRIFFITH again rose to address the House, but was met with continued cries for a Division.

Question put, "That this House do now adjourn."

The House *divided* :—Ayes 112; Noes 172: Majority 60.

UNION CHARGEABILITY BILL.

CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now taken into Consideration."

Mr. KNIGHT rose to move that certain expenses now charged upon the Union and parochial poor rates should be repaid out of moneys provided by Parliament for that purpose. They were entering on a new phase of poor law legislation. It was well known that all property in England was liable to be rated to the poor, but up to that time a small portion only of that property was in fact rated to the poor. So long as the old parochial management lasted it did not appear desirable to take any further steps with regard to the rating of other property, and the holders of real property were perfectly willing to accept the whole of the burden. Some years ago attempts were made to rate stock in trade as something tangible within a parish, but they signally failed from legal difficulties. Portions of the county rate, the police rate, the salaries of masters and mistresses in union workhouses, the stipends of pupil teachers, and one quarter of the expenses of the medical officers were, however, now paid out of the Consolidated Fund, and it appeared to him that this was a proper time for mooting the question, and seeing whether that principle should not be extended to all those items of poor rate expenditure to which his Motion referred. The purport of his Resolution was, that in the opinion of the House all the items paid out of the poor rates over which the guardians had no control should be paid out of the general taxation of the country. It was true that property in the kingdom was vastly increasing in value, but personal property had increased a great deal more in proportion than real property. They were now discussing a proposition for a re-distribution of the charge for the poor rate; but, by the system proposed by the Bill, one-eighth or one-tenth of the property in many parishes would be confiscated. The measure he laid before the House must not be regarded as being in opposition to the Bill, but rather as its necessary complement; because he thought that at the time they were putting such heavy new charges upon the landowners they were bound to take off those he proposed. Although he had no desire that the vote of the House should interfere with the Budget of this year, he trusted it would act as an instruction to the Chancellors of the Exchequer of future years. He was asking the House to take the sum of £1,700,000 off the poor ratepayers, and to lay it upon those who employed great numbers of people—often in unhealthy trades, greatly conducing to pauperism—and who at present were only lightly taxed towards the support of the poor. It might be said that his measure showed a tendency towards centralization; but, in point of fact, the items he proposed to deal with were already centralized, and were entirely under the control of the House of Commons and the Poor Law Board, the local authorities having no power whatever to deal with them. It might be said that the operation of this measure would soon be extended to Ireland and Scotland: but to that he had no objection. Unfortunately the Bill brought in by the right hon. Gentleman the President of the Poor Law Board had been regarded in a party spirit, as an advantage to be gained by the towns against the country. The measure he was proposing, however, could not be regarded in that light, as the vote of the House could only be taken as an intimation to Chancellors of the Exchequer that in the opinion of that House a certain portion of the poor rates should be placed upon the national taxation. The hon. Member concluded by moving the Amendment.

Mr. PACKE, in seconding the Amendment, said, he never knew anything more irregular than the way in which the Bill had been brought before the House. It was brought in and read a first time on the 20th of February, it was read a second time on the 27th of March, and it was not until the 28th of April that the Report upon which it was founded was in the possession of hon. Members. It was not laid upon the table in the usual manner, but was sent to the Paper Office, and hon. Members were told they might there obtain a copy if they thought fit. The Report, the title of which effectually concealed its real character, contained most unfounded charges against the landowners of almost every county in England. Mr. Henley had confuted the charges brought by Dr. Simon against the landowners of Oxfordshire; and he (Mr. Packe) wished to contradict most emphatically the allegations which had been made against the landed proprietors of Leicestershire. He could state most confidently as to that county that the assertions of the reports of Dr. Simon and Dr. Hunter were not only unproved but utterly unfounded; and he believed the same might be said of other counties. The statement of the right hon. Gentleman the President of the Poor Law Board that the farmers were in favour of this measure was disproved by the fact that while petitions against it had been presented from farmers having nearly 12,000 signatures, the petitions in its favour had only 5,000 signatures. The fact was that it was a contest between town and country unions. That this was so would be seen at once by a reference to the boroughs represented by the right hon. Baronet the Secretary of State for the Home Department and the noble Lord at the head of the Government. The borough of Morpeth petitioned for the Bill, and the union of Morpeth against it; the union of Tiverton petitioned against the Bill, and the borough of Tiverton in its favour. So far would this Bill be from benefiting the poor that it would diminish the interest of the landowners in them, and would reduce rather than add to the number of cottages upon their estates. Under the Bill towns which paid a rate of 4*s.* would have to pay only 2*s.*, and the country parishes which paid 2*s.* would hereafter have to pay 4*s.* So that the whole effect of the Bill would be to transfer money from the pockets of the country ratepayers to those of the payers of rates in towns, and he could not imagine a more dishonest course of legislation than that which would sanction an operation which between one man and another, would simply be larceny. He would second the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House it is expedient that the following expenses now charged upon the Union and Parochial Poor Rates, or which will become chargeable upon the rates of Unions and single Parishes throughout England and Wales, should be repaid to the Unions or Parishes by which they have been so expended out of moneys provided by Parliament:

Amounting to the following sums:—

£501,368. All expenses of the maintenance of pauper lunatics in asylums or licensed houses;

£679,480. The establishment charges of Poor Law Unions, or of single parishes under boards of guardians, including all salaries and rations of officers (in addition to those now repaid out of Her Majesty's Treasury);

£468,745. All other expenses of or immediately connected with the relief of the poor, excepting only those of the in-maintenance and out-relief of the poor:

All Poor Pate expenditure for the following purposes, being unconnected with poor relief, viz:—

£43,273. Constables Fees and cost of proceedings before justices;

£69,130. Payments on account of Registration Act;

£45,660. Vaccination Fees;

£36,586. Expenses in respect of Parliamentary or Municipal Registration, and costs of Jury Lists,"—(*Mr. Knight,*)

—instead thereof.

Motion made, and Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. Alderman SIDNEY said, he did not think that a very strong case had been made out by the arguments of either the Mover or Seconder of the Amendment. When the hon. Member for Leicestershire (Mr. Packe) talked of confiscation, and of some parishes paying a rate of 4*s.* under the Bill, he would refer him to the valuable Return of the whole rates payable in every parish in the kingdom, presented to Parliament on the Motion of the late Mr. Charles Buller, and which he thought would lessen his alarm. It appeared from that Return that the average rate throughout the Kingdom was not more than 1*s.* 6*d.* in the pound—an amount which he did not think any parish would exceed after the present Bill passed. Though, however, the reasons for the Motion were not conclusive, yet the subject was one that deserved consideration. He was not an advocate for a national rate, but he knew of no reason why the chargeability for the poor should not be treated in a national manner as much as possible. The hon. Member for Worcestershire (Mr. Knight) could not expect the Chancellor of the Exchequer to consent to such a sweeping measure at present; but in the interests both of the public and the poor themselves, it would be wise for the Government to take the subject into consideration. There was strong argument for throwing upon the Consolidated Fund the establishment charges now paid by unions, and certainly a great change was demanded in the medical treatment of paupers. At present the Government contributed a moiety of the medical charges, but the medical officers were underpaid, and out of their small allowance had to provide medicines. The consequence of this arrangement was that those prescriptions which science had pointed out as important in particular cases could not be complied with, and when port wine, stimulating food, or expensive drugs like quinine were ordered, the poor patients were not able to get the pure articles, if they got them at all. He had no doubt whatever that the present measure would prove highly beneficial, and he was firmly convinced also that another Parliament would not take place without a further Amendment of the Poor Laws of England. Those laws ought to be a proper and well-digested code. Hitherto they had been a disgrace to the statute-book; they had worked out great injustice to the rate-paying community, and had been cruel and oppressive to the poor themselves, and he would give his vote for every measure which had for its object the equalization of burdens, and making the Poor Laws what they ought to be—a charitable and well-considered machinery for relieving the destitution of our fellow countrymen.

MR. H. A. BRUCE said, he was sorry to have again to trespass upon the attention of the House in defence of the report of Dr. Hunter; but as statements had been made with respect to it by the hon. Member for South Leicestershire (Mr. Packe) and others, to the justice of which he could not assent, he deemed it to be his duty to point out why it was that he believed the report to be trustworthy, and not fairly open to charges which had been brought against it. He had a few evenings ago, when it was alleged that the report had been made to order, given his positive assurance that it was only a sequel to others, and that it had been made without any reference whatever to the measure under discussion, or to any legislation contemplated by Government. His right hon. Friend the President of the Poor Law Board, upon the same evening, stated that he had never heard of the report until after notice of the proposed introduction of the Bill had been given. Upon that point, then, he felt satisfied that it was quite unnecessary to add a single word. But, then, it was contended by several hon. Members that there was an evident animus in the report hostile to the owners of landed property, and that the inquiries of those who framed it had been specially directed to the evils in connection with the residences of the poor which existed in the country districts, while it was well known that evils equally great existed in towns. His answer to that charge was a reference to the various inquiries which had, during the last seven years, been made under the auspices of the Privy Council in the exercise of the power which had been transferred to it by the Public Health Act of 1858, and which had been mainly directed to the condition of things in the manufacturing districts and great towns. Since the passing of that Act investigations had been instituted by order of the Privy Council into the existence of diseases of different descriptions, and the rate of mortality in various portions of England and Wales, Wolverhampton, Birmingham, Nottingham, and others of our large towns, had come within the scope of those investigations, so that it would be seen that the attention of the Privy Council in seeking for information had not been specially directed to the agricultural districts. The reports in reference to these large manufacturing towns had depicted great evil as prevalent there in language quite as vigorous and graphic as that quoted by the right hon. Member for Oxfordshire, and which the right hon. Gentleman characterizes as unjust when applied to the rural districts. For instance, the town of Merthyr Tydvil, with which he (Mr. H. A. Bruce) was particularly well acquainted, had several times attracted the attention of the medical Inspectors of the Department of Health, and they had spoken of its death rate as unnecessarily high; the number of deaths from smallpox being, they said, greater there than that of any other town in the country, and ascribing that fact, among other causes, to imperfect drainage. What, under those circumstances, he would ask, did the inhabitants of Merthyr Tydvil do?—and he would beg hon. Gentlemen not to imagine that in referring to their conduct he was making an electioneering speech. Alarmed by the statements contained in the report to which he referred, they bestirred themselves, and were at the present moment engaged in constructing drainage works at a very great expense; nor did they deem it necessary—as had been done on the opposite side of the House in the case of Dr. Hunter—to impute improper motives to the officers who made the report, or to say that they were actuated by prejudice against a manufacturing population. It might, however, be urged that although all that he had just stated might be true it would not justify the publication of a report which was in itself exaggerated. But had the noble Lord the Member for Leicestershire (Lord John Manners), he would ask, or the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), succeeded in raising any well-founded doubt as to the accuracy of the statements which the report contained? As to the speech of the noble Lord, it was, he maintained, founded entirely on a misconception. He produced a Return which had been moved for by the hon. Member for West Worcestershire (Mr. Knight), and had gone through it page by page with the object of proving that in a considerable number of the parishes mentioned in the report of Dr. Hunter, as parishes in which the number of houses had decreased while the population had increased—and proved or appeared to prove that in as many as 290 out of the 821, the number of houses had actually increased. Well, that, no doubt, would be strong evidence to invalidate the correctness of Dr. Hunter's report, if it proceeded upon the same basis as that upon which the Return was founded. The fact was, however, that the report of Dr. Hunter which was, in fact, extracted from the Census Report of 1861, included all the houses, whether inhabited or uninhabited, in the parishes to which it related; while the Return moved for by the hon. Member for West Worcestershire had reference to the number of inhabited houses only. The difference of the bases on which the two reports were framed was, therefore, the real foundation of the error which the noble Lord imagined he had detected in the report of Dr. Hunter, and he maintained, after having again carefully investigated Dr. Hunter's figures, that they were strictly accurate. He now came to the charges made by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), who in the strongest terms declared it to be his belief that the statements contained in the report of Dr. Hunter were incorrect. The right hon. Gentleman in making these charges traversed a wide field, but had invited special attention to Oxfordshire. "There," said the right hon. Gentleman, "I know my ground, and in that part of England, so far as I am aware, the demolition of cottages is unknown. It could not take place without my knowledge. I make that statement unreservedly, and in the strongest possible terms." [Mr. HENLEY: I was speaking of the close parishes; for that was the question.] There was nothing in the Census to show which were the close parishes and which were not; but when it was found that out of 300 parishes in Oxfordshire there were eighty which in the last Census showed a diminution in the number of houses, the presumption was very strong against the accuracy of the right hon. Gentleman's statement. In that county there was a slight increase of population during the ten years. Was, then, this increase rural or urban? The only considerable town in Oxfordshire was the city of Oxford, and that city showed a diminution of population. A slight increase must therefore have taken place in the country districts. But in 80 parishes in the county there had been a decrease of houses; and the natural inference, therefore, was that this decrease had not arisen from the decrease of the population, but from the various motives which induced landowners to reduce the number of cottages upon their property. The statement made by Dr. Hunter that in Oxfordshire there were 14 parishes, in which an increase of population had been attended by a diminution of houses, would only more clearly demonstrate the same argument. The right hon. Gentleman then stated that Dr. Hunter exhibited great ignorance of the working of the Poor Law when he asserted that the tendency of legislation had led to more frequent eviction of the poor from close parishes in modern than in former times. Before, however, the Act of Parliament was passed which prevented the removal of all persons who had resided, first for five, and then for three years in a parish or union, a man on becoming chargeable would have been removed to his former place of settlement, but under more recent legislation the facilities for unsettling the inhabitants of a parish had enormously increased, and had no doubt led in many instances to a diminution of houses. He might add that he had consulted the Census Reports, in which hon. Members would find hardly a page where local registrars did not state that the diminution of population was attributable to the destruction of houses. The test which he thus offered to the House was, therefore, a very easy one. In his hand he held a list of the 80 parishes to which he had referred, and that list was at the service of the right hon. Gentleman. It exhibited in every case a diminution of house accommodation, and in some instances a considerable diminution. In Somersetshire, out of 513 parishes there had been a decrease of houses in 318. It would, no doubt, be monstrous to assert that this decrease had in every case arisen from the arbitrary and tyrannical exercise of the power of the landlords. No doubt other interests and other inducements had led the inhabitants of many parishes to change their quarters. While, on the one hand, it must be admitted that the increase of education and the facilities of locomotion had attracted many people from the country to the towns in the expectation of receiving higher wages, it could not, on the other hand, on the evidence furnished by Dr. Hunter, and the experience of persons who were well acquainted with the country, be denied that the power which the landlords possessed had in many instances been exercised. He objected entirely to the interpretation which the right hon. Gentleman had put upon the statements of Dr. Hunter. In the case of Ossington, for instance, the right hon. Gentleman said—

> "This gentleman tells us that he heard that there had been many houses pulled down there. If he had taken the trouble to refer to the Census he would have found that since 1831 there had been a large increase in the number of houses in the place."

One would have imagined that Dr. Hunter had purposely suppressed that fact.

Mr. HENLEY said, that the right hon. Gentleman entirely mistook his argument. He had endeavoured to show that the period of thirty years should be made the basis for calculation instead of the shorter time.

Mr. H. A. BRUCE would, of course, accept the explanation of the right hon. Gentleman. The right hon. Gentleman alluded to several statements of Dr. Hunter for the purpose of showing that that gentleman had indulged in improper innuendoes against the course adopted by some great landlords, among whom were the right hon. Gentleman in the chair the Duke of Bedford, and the Marquess of Exeter, and insisted that Dr. Hunter had unfairly criticised their proceedings. But the fact was that Dr. Hunter gave these landowners credit for their benevolent intentions, and said they had built excellent houses; but in a spirit of fair and honest criticism he pointed out that in his opinion their benevolent efforts had to a certain extent been misdirected — that the class of dwellings built by them was so costly as to be beyond the reach of those for whom they were intended. Again, the right hon. Gentleman tried to raise a prejudice against Dr. Hunter for an assumed assertion (because he never made it) with reference to Bedfordshire, Buckinghamshire, and five other counties, in which demolition had taken place. It was triumphantly answered that the Census showed that there had been an increase in houses in those counties. But the statement of Dr. Hunter was, that there was a number of places in those counties in which there had been an increase of population and a decrease in the number of houses, and that statement was not impugned. He had examined with Dr. Hunter all the statements which had been disputed, and he was satisfied that in every case that gentleman had exercised care and impartiality. He had heard it stated in that House that a good cottage could not be built for less than £150; but how could a labourer with from £25 to £30 a year be expected to pay the £10 or £12 rent, which might be regarded as a fair return upon such an expenditure? There was one point in Dr. Hunter's report which was open to misconstruction, and he was therefore glad that he had the opportunity of giving Dr. Hunter's own explanation. Speaking of Pirton, in Herts, Dr. Hunter said—

> "Of the twenty-eight parishes of Hitchin Union, destruction of cots has exceeded the re-construction in nine, nor are the evictions confined to these cases, for the Census tells us of houses which have driven away the people by sheer dilapidation, where only one room remains habitable, but which are still returned as 'houses,' though only able to shelter half they were used to. In nine cases out of ten where the Census reports a decrease of population, and adds a note that it is due to emigration, that word may be safely expunged, and eviction substituted as being the first cause of the decrease."—p. 207.

He would candidly admit that the statement was incorrect, if applied to all England; but the remark only referred to this particular county, where the inducements to emigrate were very few, and where, in Dr. Hunter's opinion, eviction and not emigration was the chief cause of the decrease in the number of houses. If there had been no demolition of houses how did they disappear? Not surely by mere natural decay. He thought demolition was the proper word to describe the cause of their disappearance; and he confessed, with every desire to find a solution not unfavourable to the right hon. Gentleman, he could not find any which would account for the reduction so as to bear out the statement he had made that the assertions of Dr.

Hunter were rash and without authority. He did not mean to say that there were not in Dr. Hunter's report expressions that would have been as well unused; but the very note on Stanton Harcourt, which was the special object of the right hon. Gentleman's attack, was susceptible of a very simple explanation. Dr. Hunter assured him that he had not the slightest intention of reflecting on the conduct of Lord Harcourt, but it occurred to him while reading Mr. Read's report on Oxfordshire farming in the *Journal of the Royal Agricultural Society*, that a chapter in Southey's *Doctor* was worth consulting on the subject, and he inserted a note to that effect, and called attention to it. The chapter contained such arguments as might fairly be offered in defence of special acts of demolition. Perhaps it would have been as well if mere literary allusions had been avoided, as sometimes leading to misconception ; but, he repeated, there was no intention to reflect on Lord Harcourt or his representatives. He was satisfied that the right hon. Gentleman himself did not know the facts as to the demolition of cottages when he addressed the House. The more the truth was ventilated, the better the results that might be expected to follow. The more inquiry was made, the more the charges of Dr. Hunter would be shown to be founded in truth. He had shown that this was the case with respect to the principal heads of accusation, and he was satisfied that after making a fair allowance for such occasional errors of detail as must creep into works dealing with so vast a number of facts, the report was truthful in spirit and accurate in substance.

Mr. HENLEY said, he was very glad he happened to be in the House during the statement of the right hon. Gentleman, and he hoped the House would allow him to offer a few words of explanation on this subject. He was bound to accept, and he did accept at the time, what had been stated by both right hon. Gentlemen—that these reports had not been, as he said, using perhaps not a very good phrase, "done to order." But, as so much had been made of the expression, he might be allowed to state what led him, erroneously perhaps, to that conclusion. He found the right hon. Gentleman (Mr. Villiers), in introducing his Bill, mentioned Dr. Simon's report in the month of February, and he found in Dr. Simon's report the Bill of the Right hon. Gentleman named. It was quite possible the President of the Poor Law Board might not have seen this report; and by one of those unaccountable coincidences that sometimes happen, Dr. Simon might have seen the draught of the right hon. Gentleman's Bill, and it surely was not very unnatural for him (Mr. Henley) to have put the two things together. In this way he was led to the conclusion he had stated. Of course he must have been in error; but he believed 99 out of 100 people would have come to the same conclusion. The Vice President of the Board of Education (Mr. Bruce) would do him the justice to say that throughout the statement by which he feared that he had wearied the House, he had in no instance questioned what Dr. Hunter saw. On the sad state of many cottages which he described, the deficiency of accommodation, or the overcrowding of the inmates, he gave no opinion. But he did this, he found that in almost every county he reported on, Dr. Hunter made a broad charge against the rural landlords of driving out the people by the demolition of cottages. It was that charge only he attempted to meet, and he did not think what the right hon. Gentleman said, had in any degree altered the position of that question. He had quoted the case of Ossington to show that Dr. Hunter himself referred to the period of thirty years as a better criterion in such a matter. He had gone back to three Censuses, not to take advantage of any accidental batch of cottages pulled down or rebuilt while a Census was being taken ; he took thirty years as a just period to guess by. And now with regard to the 821 parishes—what had been stated by the right hon. Gentleman was quite true ; the uninhabited houses made the difference. But he went into this part of the case and showed that in all these 821 parishes, taking the thirty years as a criterion, there was not a diminution, and that with reference to the ten years from 1851 to 1861 the witness quoted was not a fair witness. But that was not all. No one could doubt that the charge was against the owners of rural parishes ; because Dr. Hunter distinguished for the first time between rural parishes and agricultural labourers living in other parishes. It was, therefore, perfectly clear that his animus—he could not help thinking so still—his inuendos—his direct assertions were all against landlords of close rural parishes as demolishing the number of houses and thus throwing the people into other places.

The right hon. Gentleman said it would be great injustice to ascribe all this to what he called the tyranny of the landlords. That was precisely what he had protested against. He so far agreed with the right hon. Gentleman; but there was this difference between them—he maintained the facts had not been proved; the right hon. Gentleman said they were partly proved and partly not. No one could prove a negative; but he said the case had not been affirmatively proved. The charge was against the landlords of rural parishes. Now how many of the 821 parishes were rural parishes? Some of them were in the mining districts, and others had nothing to do with rural landlords. Some of them were situated in the county of Berks next to the county he represented. Two of these were market towns. These were very odd cases of close rural parishes, and one of them he (Dr. Hunter) visited. In Berkshire, Abingdon and Wantage were quoted among those 821 rural parishes where the tyranny of the landlords had driven out the people. Was not that enough to make any one misgive? Again, there were fourteen places in the county in which he lived five of which could under no circumstances be called close parishes. Of the other nine, some were single properties; he did not know whether the others were so or not; but they were scattered all over the county. The right hon. Gentleman had made a great deal of Dr. Hunter not having said that in some places which he named houses had been pulled down. No, Dr. Hunter did not say it, but he insinuated it; and that was one reason why he complained that throughout his report Dr. Hunter did more by way of inuendo than by actual statement—which was not fair. As the right hon. Gentleman himself had said with regard to the footnote about evictions, he thought that would have been better left out. The right hon. Gentleman further stated that the city of Oxford had a decreasing population. [Mr. H. A. **Bruce**: In the last ten years.] That was the first time he had heard it. He had looked over the Census Returns, and unless he had added up the figures wrongly, the population of Oxford was an increasing population. The population of the county of Oxford, apart from the city, however, as he had mentioned before, had actually decreased between the years 1851 and 1861. The right hon. Gentleman had gone on to tell them there were eighty places in Oxfordshire in which there had been what he called a demolition of houses. It would be very well if they were informed what those places were. There might have been a house more or a house less in those places; but that did not at all sustain the allegation that there had been a demolition of houses for the purpose of driving out the people—for that was Dr. Hunter's charge. All he could say was, that he did not know of it. He knew that for the last fifty years throughout the length and breadth of the county, the old thatched hovels, with no upstairs, had been gradually decreasing. Perhaps there was, here and there, a parish in which one or two were left with very aged people in them; but when these people died out these small hovels went down, and other houses were probably built in their stead. That had been the case in his own neighbourhood, and in the parish in which he lived there been a change of that sort. He believed it had occurred in many other places. But in insinuating that there had been a demolition of houses for the purpose of driving the people out, he thought Dr. Hunter had made a great mistake. That was the conclusion to which he had come, and nothing which the right hon. Gentleman had said had altered the view he took. And now that the matter had been so much challenged he could not help naming one or two other things which he had not mentioned before; because he was not in the habit if he knew it of exaggerating anything — he had expressed, or endeavoured to express, strongly his full agreement that there were plenty of shortcomings among them all. He had never controverted any one of the statements made by Dr. Hunter, either as to the number of people living in each house, or the smallness of their houses, or any point of that kind. But, attacked as he had been for what he had said, he thought it right to call the attention of the House to another matter that showed at least a colouring, if nothing else, which he had never known before. Dr. Hunter in his description of these places spoke of so many adults and so many children in a given space; and in the commencement of his lecture he fixed the adult age at thirteen. The Poor Law fixed the adult age at sixteen; and certainly in no work of authority that he knew of was it fixed so low as thirteen. Those who knew anything of the children of the rural parishes knew that they were not very forward at that age. Why, the Board of Education of which the right hon. Gentleman was Vice President, had been urging them to keep not adults but children at school up to the age of fourteen. Did the right hon. Gentleman mean to say that his Department regarded boys and girls of thirteen as children or as adults? For that was surely a matter which coloured the picture very highly, when they came to reckon a family of children, the eldest of which might be fifteen, as including so many of these "adults." The right hon. Gentleman had also alluded to a reference which he had made to a quotation from Southey's *Doctor*. He wished it had been left alone. The right hon. Gentleman stated to the House that the arguments *pro* and *con.* were put forward in that very interesting paper; but he did not state what was that great fact—namely, that in that paper there was an imaginary sketch given of a nobleman who was sweeping away all the houses near him—he did not tell them that there was a Quaker introduced into the story, who held out a good while, but who was at last over-persuaded to give in and sell his bit of ground; and that then the great man was able to make a clean sweep and get rid of all these people. He did not tell them that Southey's *Doctor* related how the Quaker was so much put out that he went mad and committed suicide, because he had been instrumental in helping that great wrong, nor did he tell them of the allusion to Ahab and Naboth—yet all these things were part of the story. He thought, therefore, the House would judge that when he complained of the introduction of such matters he had not salted the dish any more than was necessary, and that if he stated these things now that the right hon. Gentleman had dragged them out he had only done what he was bound to do in justice to himself. It was perfectly true that in Southey's *Doctor* they did not speak of the demolition of the village of Nuneham, but of the removal of the people; but Dr. Hunter quoted that paper as if the village of Nuneham had been demolished, and no other village built up in its stead; and no one who knew the facts described in that paper could come to any other conclusion from reading the footnote in the report than the one he had suggested. He repeated that such footnotes, bringing in literary matter which had little concern with the question, had far better be omitted. He had been restrained from stating as strongly as he could have done what was the injustice of the report; but he was obliged to state it now more fully, and after what had taken place that night he thought he should be acquitted by the House. He believed he had now nearly answered all the right hon. Gentleman's remarks with regard to what he deemed his misrepresentation of that report. All he could say was, that if he had been wrong it was not from want of taking pains to understand it. He had thought that throughout the report there ran a direct charge against the rural landlords of England for wholesale attempts to get rid of the poor people. He had given the reasons why he thought that grievous charge was unfounded, and showed that there was no evidence which proved it to be true; and he believed it would have been better if Dr. Hunter had been more careful. With reference to the Motion proposed by his hon. Friend for throwing some charges on the Consolidated Fund, he believed that no clause embodying the sense of the Resolution could be introduced into the Bill at its present stage. The Resolution, therefore, must only be regarded as an expression of opinion that something ought to be done by the Government to review the incidence of the poor rates. The Bill of the right hon. Gentleman would effect a very considerable shifting of burdens, and it was not unnatural that under such circumstances the country should be anxious for a review of all the incidents of taxation relating to the support of the poor. Whatever the reasons, personal property had now for many years been exempted from those contributions to which at one time it was subject in common with real property, notwithstanding that of late years the produce of personal property had risen so as nearly to equal that of real property. It being highly desirable that when burdens were shifted all should be made as far as possible to bear their fair share, he viewed the proposal of his hon. Friend as a protest against the continued exemption of that species of property, and as a suggestion for bringing a particular description of property into charge, instead of adopting the more difficult practice of taxing it as it arose. At the very time when proportions were being thus altered some special charges upon real property had grown very largely. For instance, the charge for lunatics at one time comparatively trifling, had enormously increased.

The good feeling of the age required that every appliance which skill and humanity could devise for the treatment of these unhappy people should be accorded to them; but two things were not to be forgotten—first, that the care of lunatics was attended with very great cost, and next, that rural occupations were the least productive of the unhappy disease which rendered this expense necessary; and it was, therefore, a question whether it was not just that these charges should be provided for without being a direct burden on the land. Regarding the Motion of his hon. Friend not so much as unanswerable in itself as tending towards a fairer apportionment of burdens in future, he should give his vote for it. And he felt it right to state his views on this question, having been so pointedly alluded to by the right hon. Gentleman. If stock in trade and other property continued still to be exempted from contribution, it was the duty of the Government to find some means of giving countervailing advantages to the landed interests, upon which so many burdens were exclusively entailed.

Mr. PORTMAN, as one of the representatives of Dorsetshire, said, he had every reason to be satisfied with the terms in which Dr. Hunter had alluded to that county, and gave him credit for the ability distinguishing his reports. But, at the same time, he had fallen into inaccuracies which ought to be corrected. In the parish of Charlton Marshall, he stated, that "167 houses were standing in 1851, while only 124 remained in 1861." (p. 179). The facts, as he had obtained them from one of the principal proprietors of the village—a gentleman who had devoted a great deal of time and money to its improvement, and whose information was in every way to be depended upon—were that between the years 1851 and 1861 fourteen houses were pulled down in the parish and forty-five rebuilt, showing an increase of thirty-one houses instead of a diminution of forty-three. In Tarrant Hinton Dr. Hunter's report conveyed the impression that there had been a decrease, attributed to houses having been destroyed by fire and not rebuilt. The facts were that a farmhouse was burnt down, but that in its place five or six cottages had been built. Persons who only studied the question in their own rooms in large cities were quite unaware of the difficulties with which landowners had to contend; they were ignorant of the fact that cottages were often let with the farms, and knew nothing of the lifehold leases which manifestly could not be interfered with till they fell in. Too much must not be expected on this point, for cottage building undoubtedly was a bad investment, and many landed proprietors were not in a position to lay out the money. At the same time there was no doubt that the landed proprietors as a body were fully alive to their responsibilities, and in the last twenty years material steps had been taken to improve and increase the dwellings of the poor. Dr. Hunter should have verified his assertions on the spot.

Sir BALDWIN LEIGHTON agreed with his right hon. Friend the Member for Oxfordshire that there were many observations in Dr. Hunter's report which were unnecessary, and that that gentleman ought to have been contented with stating facts, and been less ready to draw inferences. Dr. Hunter found fault with the Duke of Rutland, and said that although his Grace's cottages were very good, yet they produced great poverty, because the rents were too low. He (Sir Baldwin Leighton) could not draw that conclusion from such a fact, as the rents were not nominal in amount; and, at any rate, it could not be said that was a fair observation to make in respect to it. He must be permitted to deny the statement of the right hon. Gentleman (Mr. Bruce) that cottages seldom fell down from natural decay. Great numbers of his cottages had fallen from natural decay, or would have done so, but for having been taken down. Much had been said as to the necessity of a labourer being near his work. He believed it was more conducive to his welfare that he should live under the head landlord himself than under the farmer. But there was a case upon his own property where a waggoner had to walk eight miles a day to work, and, though a cottage fell vacant, he would not give it to the man, because he declined to have about his house one of whose character he did not approve. No facts had been brought forward to show that, although there was occasional crowding in the country districts, it was anything at all like that in large or even in small towns. All this sort of thing must be remembered, and people who lived in towns, and who, looking over this Return, found fault with the landlords, had no practical knowledge of the matter. No doubt there were instances of overcrowding, but they very frequently arose from special circumstances. When a man took his cottage he generally kept it for life if his behaviour was good; and the country gentleman of England would never think of turning out a man when his family became large to make room for a man with a smaller family. He once had a cottage which was in an exceedingly crowded state, as there were eleven persons living in it; but it had happened that a widow was left in it with three children, and as she wished it he did not disturb her. She then married a widower with three children, and they afterwards had three more. But they were well conducted, always paid their rent, and had got their children off their hands in a creditable manner; but he as the landowner could not be expected to build a cottage for them sufficiently large to properly accomodate a family of nine children. These were cases which ought not to be overlooked by theorists. He agreed with the right hon. Gentleman (Mr. Henley) that there were many things put upon the poor rate which had no right to be so placed. There was the cost of vaccination, which had no more to do with the poor rate than the cost of an ambassador at Constantinople; and so with the cost of registering births, marriages, and deaths. Those were arrangements for the benefit of the whole population, and ought to be borne by the Consolidated Fund. Again, the greater part of the cost of criminals was paid out of the county rate—but by far the larger number of offences was committed against personal property or against the person, and that expense therefore ought to be borne by the country at large. Though this was described as a fair measure, there was no doubt that it would make a great difference in the incidence of taxation; and, he might add, that there was one thing for which the proprietors of close parishes received no credit, and that was the great efforts they made to keep the poor above pauperism. They also, generally speaking, maintained very good cottages on their estates.

MR. FLOYER said, he would trespass on the attention of the House for a few minutes, because he could not agree in the concluding observation of the Vice-President of the Education Board, that the more the Medical report was looked into the more accurate it would be found. He would advert to that part of the Return which referred to the county he represented (Dorsetshire); and he thought that the matter was not important, because the chief ground on which the Bill was advocated by the President of the Poor Law Board was that it would lead to the removal of the great grievances —the want of accommodation for the poor and the restrictions on the employment of the labouring classes. But no proofs had been given that these effects would follow from the Bill. The right hon. Gentleman (Mr. H. A. Bruce) said cottage accommodation had diminished even where the population had increased; but the whole evidence even as to that was confined to the Report laid on the table of the House. There had no doubt been plenty of opinions quoted on the one side and the other. The right hon. Gentleman quoted that of the late Sir George Cornewall Lewis (whose loss they all deplored); and then against that they had the opinion of his right hon. Friend (Mr. Henley), whose authority on points like these was equal to that of any other, living or dead. That Return professed to give an account of certain parishes in which the cottage accommodation had decreased simultaneously with an increase in population. In the county which he represented, the report gave 20 parishes as having so decreased. On looking through the first five decades, beginning with the year 1801, he found that the population of those parishes had increased about one-third in the fifty years, according to the figures given in the Return. He found also that the total cottage accommodation in those 20 parishes was at the beginning of the five decades about 1,200 cottages, and at the end of the decades it had increased to 1,954 cottages. That was an increase of cottage accommodation considerably in excess, proportionably, of the increase of population. Then he came to the next decade; and, no doubt, at first sight, there appeared a decrease on the whole of cottage accommodation, while the population went on increasing; but on looking further into the matter he found that out of 20 parishes given as instances of the fact, there had been in eight no decrease whatever of cottage accommodation, and yet the Return professed to show a decrease in all the parishes. He did not know for what purpose these were put into the Return, unless it was to swell out and show a particular fact, when it really showed just the contrary. His hon. Colleage (Mr. Portman) had shown in the case of another parish, which was stated in the report to have decreased in cottages from 164 to 114 in ten years, that that was a total mistake, and that the reverse was the fact. That parish was what he might call the right hon. Gentleman's "great gun" as regarded Dorsetshire; and yet it proved to have been altogether a mistake. Having thus shown that in 9 out of the 20 parishes selected, the direct reverse of the Return was proved to be the fact, how could that Return be trusted with regard to other parishes. If it was so grievously wrong in one county only, it might be wrong in many, or all; and was it therefore a fit groundwork upon which to base legislation?

MR. BRUCE said, the Return was not the Government's; it had been moved for by an hon. Gentleman opposite.

MR. FLOYER said, he had heard the right hon. Gentleman distinctly say that in that report was to be found the proof that the demolition of cottages which had been so long in operation in England was still going on. The whole question turned upon this point, whether that was the case. He admitted quite as fully as the right hon. Gentleman that there had been times when cottages were pulled down, and in some instances for the sake of getting rid of the poor; but the facts had been grossly exaggerated, and the point upon which he wished to join issue with the right hon. Gentleman was this—that it was since the Poor Law had been altered that the evils had been renewed. There was no inducement now to pull down cottages or to refuse to admit labourers from another parish into one's own. If it could not be shown that those evils were in operation at present—for that was the question, and they were not to legislate for years gone by—then the foundation upon which the legislation of the right hon. Gentleman was built fell away. He had shown with reference to his own county, that for the first five decades the increase of cottage accommodation had been greater than the increase of population. As long as there was no interference with the law of settlement, so long did the cottage accommodation increase in the ratio which he had described, and that the Return proved. It was only within the last ten years, since they had interfered with the law of settlement and removal, that the cottages had decreased. The Return was a fair sample of the general character of the reports of the Medical Officers of the Privy Council, and it would be well to hesitate before entertaining such statements, as any ground for legislating in so important a matter. The right hon. Gentleman and other hon. Members throughout the debate had relied very much upon the diminution of cottage accommodation as the justification for this interference with property. There was another aspect of the matter which he desired to press on the notice of the House. The hon. Baronet who had spoken before him (Sir Baldwin Leighton) had very truly said that the landlords were not all opulent and cottage-building was an expensive indulgence. But how was it proposed to encourage cottage-building by this Bill? If landlords had not means, how were they to be enabled to build cottages? Was it proposed, as had been done in other matters, to advance money at a low rate or to give them any special facilities? It was quite the contrary? Where the landlord or his tenants had to pay a shilling before, they would, under this Bill, have to pay two; where they had to pay £50 they would have to pay £100. Would the landlord be better able to build cottages when they took out of his pocket what he had before? With regard to the change of the burdens affecting parishes, the right hon. Gentleman at an earlier stage of the debate upon the Bill had stated that it had been made to the extent of 51 per cent. That had been the result of legislation since the amendment of the Poor Laws in 1834. That legislation had been, on the whole, beneficial, and he did not regret that, so far, there had been a removal of the burden from one set of parishes to another better able to bear it. But to shift the whole of the burden because they had already shifted a considerable portion of it did not appear to be called for by the circumstances of the case; nor did the right hon. Gentleman, or other hon. Members who supported the Bill, prove its necessity. With regard to the points which formed the subject matter of the Resolutions of the hon. Member (Mr. Knight), he agreed with the right hon. Gentleman the Member for Oxfordshire in thinking that they were conceived in a spirit of fairness, though he was not prepared to say that they should be carried out to the full extent. With respect to pauper lunatics, if a portion of the expense of their maintenance could be transferred to the Consolidated Fund, it would, in his opinion, meet all the requirements of the case. As long as the management of the county asylums was left in the hands of the county magistrates it was right that the counties should bear a portion of the expense. It was a larger question to go into whether the management of those excellent institutions should be transferred to other hands. The main charge was now borne by the several counties, it was under local control, and removed from the control of Parliament. They could hardly expect that local property should be relieved of the whole of the charge if local management were to be continued. With respect to the police and other matters, believing that the Motion of the hon. Gentleman was in the right direction, though he might not agree to all its details, he should have much pleasure in supporting it.

LORD HENNIKER said, that the President of the Poor Law Board, a few nights since, had referred to certain evidence given by a relative of his, formerly chairman of the Hartismere Union, and who was one of the chairmen of Quarter Sessions for the county of Suffolk. The evidence quoted by the right hon. Gentleman was to the effect that the cottages in the neighbourhood were very fast diminishing, and that he was informed the villages were supposed to look prettier with fewer cottages. Now, his relative had been dead sixteen years, and the evidence to which the right hon. Gentleman referred he thought was given before a Committee of the House of Lords nineteen years ago. If, however, the right hon. Gentleman wished the House to believe that this was an accurate description of the present state of things in that county, he could assure him that such is not the case, and that the amount of cottage accommodation is very different from what had been intimated by him. Dr. Hunter, in his Report, stated—

> "In the south street of Needham Market are houses as bad as any that can be found grouped in such numbers in the county, but many Midland villages are much worse. Needham Market is one of the places where houses have been destroyed and population has advanced in the same decennium."

He made it his business to write to the Chairman of the Bosmere and Claydon Board of Guardians, who is also rector of the parish of Barking, of which Needham Market forms a portion, to inquire into the accuracy of this statement. In reply he received the following letter:—

> "I do not think there have been more cottages destroyed in Needham Market during the last twenty or thirty years than have been replaced by new and more commodious ones. Nor do I believe throughout the whole hundred, of some eight-and-thirty parishes, that, as a rule, there has been any decrease of cottages, but that they have been rather on the increase. I allude more to Bosmere and Claydon Hundreds than to Thredling, with which I am not so well acquainted. It is perfectly true that from Census 1851 to 1861 the population of Needham Market decreased, and so it did in many of the agricultural parishes; still there has been no demolition of residences for the poor. There never has been so many of these unoccupied in my own parish at any time for the last thirty years as at last Michaelmas."

He likewise wrote to the Vice Chairman of the Hartismere Board of Guardians (that union having been particularly mentioned), who had occupied that post for eighteen or twenty years, and who replied—

> "The number of cottages in various parishes has increased, and the population decreased. I think there are a few overcrowded, but it is where grown-up sons and daughters are at home. The average rents are between £3 and £4; the rates paid by the landlords, except in some parishes where the rents are very low. There are some cottages in Yaxley and Mellis in a dilapidated state unoccupied."

He rose principally to correct an error in regard to the inference drawn by the right hon. Gentleman from the evidence he had quoted.

SIR HARRY VERNEY said, that those who were acquainted with the rural districts could not disguise from themselves the fact that there were many parishes in which there was a great want of cottages. He knew some in which there were only two, and one in which there was but a single labourer's cottage. It was a great mistake to say that cottage-building was not remunerative. Even in those parishes in which the greatest improvements had been made—such as the Duke of Bedford's or the Duke of Northumberland's—the property would fetch a much higher price, if it came to be sold, by reason of the improvement, than the cottages had cost. There were many points in regard to the Poor Law which had not been sufficiently considered, and nothing had given him greater pleasure than to hear that next Session a Committee was to be appointed to inquire into the subject. He should be glad to see some effort made to call out voluntary charity for the relief of the poor, for while compulsory charity was of no good except for the preservation of life voluntary charity did much moral good. He knew a district in which £800 spent out of the rates for the relief of the poor had not produced a tithe of the good feeling and gratitude which £80 or £90 spent out of voluntary contributions had produced. The system of voluntary charity was developed to great a extent in Paris, where it worked very well. He should like to see a plan adopted in this country somewhat analogous to that in operation at Paris, which was divided in thirteen *arrondissements* with a *chef* to each. We were so used to the Poor Law in this country that we never sufficiently considerered the positive sin of one man living on another's labour. By judicious management and by a proper working of the Post Office savings banks and the friendly institutions, the poor in many districts might be led to lay by sufficient to maintain them in sickness and old age, and the Poor Law to a great extent might be superseded. With regard to Poor Law chargeability the system of assessment had not been carried out satisfactorily. The basis of assessment was very dissimilar in different unions, and the completion of the cadastral survey would be very useful in bringing about a uniform system. He hardly thought that the hon. Gentleman opposite (Mr. Knight) could expect to carry his Resolution if he went to a division. There was certainly a feeling growing up in the country that all property should be rated to the poor, and he hoped this subject would form part of the inquiry next year.

MR. SCOURFIELD said, though he believed there were many cases in which relief should be afforded he was not prepared to go the whole length of these Resolutions, in the case of lunatic asylums, for instance, he believed that at the time of the repeal of the corn laws it was proposed that some assistance should be given to the counties; and it was undeniable that the present constitution of the boards which regulated this expenditure was not satisfactory. He hoped these Resolutions would not be pressed, though in their discussion attention had been usefully directed to many specific grievances which called for alteration.

MR. C. P. VILLIERS: Sir, I hope the House will take notice of the extraordinary way in which hon. Members, who have spoken on this Resolution, have wandered from the subject to which it refers; for certainly everybody must feel that great inconvenience has been caused by the way in which the discussion has been conducted for the last two hours. This is an attempt, by moving an abstract Resolution, to arrest the progress of a Bill which there is no hope of finally defeating. We are about to consider the Bill as amended, when the hon. Member moves a Resolution having nothing whatever to do with the Bill. The Bill is one for the distribution of charges, but the hon. Gentleman's Resolution is an attempt to devise means of supporting the poor from new sources. I am informed that in point of order the only ground on which such a Resolution could be moved was the supposition that the hon. Member would follow it up by clauses in Committee to give effect to it. But the right hon Gentleman the Member for Oxfordshire (Mr. Henley), who is an authority on the forms of the House, has stated confidently—his argument went to this extent—that every one knows it is impossible to give any practical effect to such a Resolution in this Bill. That, I say, is the inconvenience of the course which the hon. Gentleman has taken; and consequently I hope the course he has adopted will not be taken on any future occasion. The result of it is that we have been wandering away from the subject before us into every subject connected either directly or indirectly with the maintenance of the poor. The only satisfaction one can derive from the irregularity is, that in the course of this discussion a very different tone has been assumed by hon. Gentlemen on the other side with respect to the report of the Medical Officer who inquired into the state of the habitations of the poor in the rural districts, though indeed there was an exception in the hon. Member for Lancashire (Mr. Packe) who described that report as a scandalous one, and denounced the Bill in equally strong language. He was followed by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), who is certainly in a much better mood to-night than he was on former occasions with reference to this Bill. He was ready to admit anything that fell from my right hon. Friend (Mr. Bruce) or myself was true; he said he had never denied that many of those things had occurred; he had never denied that there had been a diminution—I must not say a demolition—of houses in Oxfordshire, but that he meant they had not occurred in close parishes. My right hon. Friend the Vice-President of the Committee of Council completely vindicated the report; for while admitting there might be some faults of taste in the expression, or some inaccuracy in what did not signify, he satisfied the House that the report was substantially a correct one. I think the admissions of the right hon. Gentleman the Member for Oxfordshire most important, because he said he knew that the Return moved for by the hon. Member for Worcestershire (Mr. Knight), was one of the number of "inhabited houses," while Dr. Hunter's report referred to "houses." The right hon. Gentleman saw, therefore, that it was not fair to test the accuracy of that report by a return of "inhabited houses;" but I must remind the House that almost the whole of the criticizm on that report turned on its referring to "inhabited houses." Again Dr. Hunter took the decennial period from 1851 to 1861; but hon. Gentlemen on the other side went back to 1841, and even to 1801, and took the period from that up to 1861. They did not, however, detect any errors in the period upon which Dr. Hunter reported, and to which I referred in my speech—namely, the decennial period from 1851 to 1861. The right hon. Member for Oxfordshire says he did not deny that in former times those things did occur, but he did deny that they were going on now. [Mr. HENLEY: I never said that they occurred formerly.] I beg the right hon. Gentleman's pardon. What I attributed to him was said by another hon. Gentleman (Mr. Floyer). I, therefore, take issue with the hon. Gentleman; but in what I said I did not mean anything reproachful to landlords for what they have done. I only stated circumstances which do exist. I admitted that before 1851 there were not the strong motives which came into operation afterwards to clear out the poor, because before 1851, the parishes did not contribute to a common fund; but after 1851, when new charges were fixed on the common fund, a stronger motive existed for clearing the parishes of the poor by pulling down the cottages. There is a reason now why cottages should be levelled, and why there should be a clearing off of the poor, I must say I believe what Dr. Hunter has said. I believe his report is substantially true; I believe that no one has shaken it except in trifling particulars; and I further believe that he has not stated the worst of the case. From what I have heard since my conviction is that he understates the case. But it is a mistake to say that his report was the foundation of this Bill. I never did depend on it. I defy any hon. Member to point out a passage in my speech on the second reading which states that I did rely on it. I had no interest in proposing the Bill; I was obliged to propose it. It was no original measure of mine; it had been brought before the House, and, having been a Member of a Committee which passed a Resolution, I may say unanimously, in its favour, I felt bound to bring it forward. I am astonished, therefore, at the right hon. Gentleman repeating his statement that it was in consequence of Dr. Hunter's report I introduced the Bill. Authorities without number are in favour of such a measure, and I can refer to another report. ["Divide!"] If the House is anxious to come to a decision I will not go into that point at greater length, but come at once to the question raised by the abstract Resolution of the hon. Member for Worcestershire. This question is not an unimportant one, and it appears to me that, since we are to divide upon it, we should do well to consider what the proposition really is. It is to transfer not less than £1,800,000 from the local rates to the public Exchequer. It seems to me that the present moment is an extraordinary one for such a proposition, involving as it does such a transfer and such a change of policy. And what is the object? It is impossible to overlook the fact that, by the hon. Member for Worcestershire and those who support him, it is understood as a compensation to the owners of close parishes—those persons who will have to pay more rates than they have hitherto done. But this is a rather wild way of compensating those persons. We have been told that this is a measure for favouring the towns at the expense of the country districts. ["Hear, hear!"] But what is your proposition? To cast all those charges on the public revenue. So that if, as you allege, we are favouring the towns by this Bill, you are going to confer an additional advantage on them. I want to know whether that is not a wild proceeding! I suppose it will be admitted that the towns pay more rates than the country districts. By this Bill there is going to be a different distribution—not an increase of charge—not an additional burden cast on property generally or any class of property. Why, therefore, do you propose such a relief to the towns? The object of the Resolution, so far as I understand it, is to take £1,800,000 from the Consolidated Fund in order to indemnify those ratepayers who will be effected by the re-distribution of the poor rates, and who, as some people say, ought to have borne their fair share of the burden before. There may be a policy in transferring local charges to the public, but that is a question which may be reserved to some future time. A time may come when property in this country will have decreased in value, when houses will have fallen into decay, and when pauperism will have vastly increased; and Parliament may then think fit to transfer the burdens of supporting the poor from the ratepayers to the general revenue of the State, surrounding such a change with such safeguards as the adoption of such a system would render necessary. But such a time has not yet arrived. I would ask has landed property deteriorated in value? Are houses falling into decay? Is pauperism increasing? Why, within the last twenty years land has risen 12 per cent in value, and its value is still increasing. There are scarcely any open spaces where houses are not being built. Pauperism is diminishing. And yet at this moment an hon. Gentleman who represents the country gentlemen is seeking to place nearly £2,000,000 on the Consolidated Fund for the purpose of assisting them in the payment of their rates. Do hon. Gentlemen opposite really intend to support such a proposition? Do they suppose that the public will ever allow the public taxes to be applied to local purposes, and to be administered by local authorities? It may be that, in the opinion of some people, the Government ought to interfere more than they do in local matters, and that the practice of allowing people to manage their own affairs is a bad one, and ought to be altered. Before that change can be effected, however, Parliament must come to the conclusion that local affairs have been so badly managed as to necessitate a change. But is that the public opinion at the present moment? Is the public so attached to centralization that it is necessary to do away with all local government? On the contrary, the general complaint is that centralization has been carried too far already, and that the local authorities ought to have more freedom of action than they have at present. Besides, we must have either one system or the other. We cannot allow local authorities to administer the public revenue. If the public is compelled to contribute towards local expenditure, Government must exercise some amount of control over that expenditure. I am convinced the public would never rest satisfied with the proposition of the hon. Member to permit the local authorities to manage funds taken from the Consolidated Fund. I say there is no instance where the local authorities have power to administer funds provided out of the Imperial taxation. The hon. Member for Leicestershire (Mr. Packe) points to the police as an instance where such is the case. Certainly the public do contribute to the support of the police, but that is on the condition that the police shall be inspected by a Government officer, and where there is no such inspection there is no assistance given.

SIR BALDWIN LEIGHTON instanced the case of the Poor Law Inspectors.

MR. C. P. VILLIERS: I do not see the application of that case. I believe there is no instance in which the Government give away money without interfering in its expenditure. The hon. Gentleman referred to the case of the schoolmasters. But though the State pays the salaries of the schoolmasters they are appointed by the Boards of Guardians, and after a contract has been entered into with the persons so appointed they are at liberty to earn a certificate by passing through an examination, and, in the case of their obtaining the certificate, they come within the general rules of the Privy Council and receive a salary. The payment of the salaries of Poor Law medical officers is another instance to which the hon. Gentleman referred. There Government only gives a portion of the salary, so that those who appoint the officers may be identified with the application of the money. Half the salary is paid by Government, and the other half is paid out of the rates. The consequence is that the salaries are, perhaps, too small, but the officers themselves are looked after closely by the guardians. Then there is the case of the auditors, to which the hon. Gentleman did not refer. Now, these officers are chosen by the chairmen and vice-chairmen of the various Boards of Guardians of the district, and after they have been appointed the Poor Law Board pays their salaries. There is no instance, however, where the State provides funds for purposes of this kind without, at the same time, providing for the control by Government of the application of the money. Now, the hon. Gentleman proposes to-night to bind Parliament to provide funds to be administered by the local authorities, but I warn him that if he gets the money he must expect that the State will exercise control over its application. By pressing this Resolution the hon. Gentleman is laying the foundation for Government interference in all local affairs. Looking at the present flourishing condition of the country, and at the general dislike to centralization, I really do not believe the hon. Gentleman has made out such a case as would warrant the Government in accepting his proposition.

MR. BROMLEY said, the right hon. Gentleman who had just down (Mr. C. P. Villiers) complained that extraneous matter had been introduced into the debate by Gentlemen on the Opposition side of the House; but he begged leave to point out that the extraneous matter had been, in a great measure, introduced by the Vice President of the Educational Department referring to the report which had been so often quoted. As a Member representing one of the midland counties, as well as a landed proprietor in two of those counties, he felt it to be his duty to protest against the whole tone and *animus* of that report. All hon. Gentlemen, no matter on which side of the House they sat, who read that report calmly and dispassionately must come to the conclusion that in no instance did it give one word of praise to any landowner, but poured upon them all indiscrimately a full sea of what approached abuse. He thought the right hon. Gentleman had made a great mistake in calling to his aid such an energetic auxiliary as Dr. Simon, by whose means a very unfortunate tone had been introduced into the debate. The whole tone of the debate on both sides of the House was most objectionable. The great measure which this Bill proposed to introduce, and which he was not prepared to say might not ultimately be of great advantage to the poor, might have been discussed without any of that unpleasant spirit which had been exhibited. There was no organized opposition to the Bill. The landlords of the country, though groans might be heard from some of them, were accepting the burden which was about to be placed upon their backs; therefore, what was the use of vituperating the poor animal upon which they were about to place this additional load? Landlords had been perfectly honest and straightforward; they did not oppose the Bill, but they wished that in introducing a measure involving such important changes opportunity should be given for fair discussion of its merits. He (Mr. Bromley) confessed that he voted with the hon. Member for Northamptonshire (Sir Rainald Knightley) in favour of his Motion for the postponement of this measure until they had had time to peruse the interesting documents referred to; without reading which the right hon. Gentleman (Mr. C. P. Villiers) had himself stated that no Member ought to vote. Now as the report was not then issued, and the right hon. Gentleman was the only one who had seen it, this was curious advice, which, if implicitly followed, would have resulted in the right hon. Gentleman being left alone with the Speaker, when the division bell rang, to patronize which lobby he pleased; and he also voted in favour of the just and sensible proposal of the hon. Member for West Norfolk (Mr. Bentinck) for the re-distribution of unions, because he was firmly convinced that it must come to that eventually; that it was impossible that this Bill could be carried out without there being a re-distribution of unions. This was not obstructing the Bill. But he voted with the right hon. Gentleman himself against the proposition to refer the Bill to a Select Committee, because he knew that such a course would practically amount to shelving a measure which was of great importance to a large portion of the poorer classes, whom some hon. Gentlemen contended had no representation in that House. But he could not understand why so much had been done to irritate and create bad feeling. Allusions had been made to the failure of the water supply during the past summer, which had, no doubt, been felt by the squire as well as the poor. Even the drought of last summer had been called in aid of this indictment against landlords, and from the tone of the report one would suppose this visitation of Providence was the fault of the squire. In the report of Dr. Simon, few exceptions were recognized to the general bad treatment of the poor by the landlords. Three Dukes and one Marquess had been omitted from condemnation, but in these cases there was a qualification—

> "But by instances like those, judgment must not be blinded to the fact that they, in proportion to the mass of observed cases, are altogether exceptional and rare."

Was that fair dealing? Did not the experience of Members on both sides furnish them with many instances of landlords who were tolerably kind and considerate to their poorer neighbours in respect of cottage accommodation? However, not to do injustice to Dr. Simon, it was right to state that that gentleman did specify one case in which the cottages were in capital order—on the estates of the noble Lord at the head of the Government. He could not understand why the right hon. Gentleman had taken so sudden an interest in the welfare of the poor of the country, while so little had been done in London. Bad as the statements were in Dr. Hunter's report, there was no mention of any death from starvation upon the estates of any of the country landlords, which, unhappily, was not a rare case in London. Then, as to removals, surely there was enough suffering among the poor in London to require consideration. In London, whenever a railway or a philanthropist had a new scheme to carry out they swept away whole districts. The railways empty houses by saying, "You must go because we want your room;" while the philanthropist said he desired to make improvements—but the result was the same—the poor were evicted from their dwellings, and disappeared from that part of the earth. He regretted that attention had been paid only to the districts commented upon in the reports, and he also regretted that the tone of debate had been such as to inflame and create animosity between classes and between Members on either side of the House.

Mr. HUBBARD said, no one could dispute the importance of the question that had been raised—the liability of other than real property to contribute to the support of the poor. It was a subject which must sooner or later come under the consideration of the Legislature. There was not a single item in the Amendment which one or other of the objectors had not admitted to be a proper subject for consideration. If they would refer back to the Act of Elizabeth they would find that it included every description of property then known. Now, consider the change that had taken place since that time in the nature of property. In the time of Elizabeth there existed nothing but land and houses that could come under the description of real property. But what was the property now existing which came properly under the incidence of taxation? Taking the Return for 1861-2, he found that income tax was levied upon the following values:—Lands, £55,000,000; houses, £57,000,000; mines and quarries; £6,000,000; gas, railways, and other works, £20,000,000; public dividends and others, £30,000,000; trades and professions, £93,000,000; offices, £20,000,000. In this list lands and houses represented only £112,000,000; and whether other property should be continuously exempt was a question that must come under the notice of the House at no distant period. It must not be supposed that personal property which by the reduction of the income tax was year by year being emancipated from Imperial taxation, was to escape from the general burden of contributing to the support of the poor.

The CHANCELLOR of the EXCHEQUER: I am anxious to say a few words upon the subject of a Motion of this importance, which I do not think has been considered from the point of view in which I purpose to regard it. It is quite true—without blaming any one—that in consequence of the hon. Member for Leicestershire (Mr. Packe), a large portion of the debate has run completely out of the topics to which it at first related, and has turned on the merits of certain reports which have nothing to do with the merits of the Motion. What are the propositions involved in the Motion? In the first place, there is a declaration in the Motion of a private Member applying in the first instance for £1,850,000 of annual charge, and that applying to England only; but the hon. Member, with great ingenuousness and obvious equity, admitted that if the principle applied to England it applied also to Ireland and Scotland, and that those countries also must have a similar benefit. That would raise the charge to something like two-and-a-half millions a year. It is a Rule of the House that no private Member can move to fix a charge upon the Consolidated Fund. But the hon. Gentleman circumvents this Rule by saying that this should be done by repayments out of moneys provided by Parliament.

Mr. KNIGHT: Those are the words which provide for the contingent to the Metropolitan Police Rate.

The CHANCELLOR of the EXCHEQUER: That was proposed by the Gentleman to whom the House commits the discretion and responsibility of proposing a charge upon the Consolidated Fund, and on the responsibility of Government. But if there be any method by which a private Member can escape the operation of the rule of restraint which the House has wisely imposed upon itself, all I ask in the name of justice and public policy is that some corresponding method should be devised to evade the Rule that a private Member may not propose taxation to be levied upon the people, and that the hon. Member himself, who proposes to add £2,500,000 to the public expenditure shall rise in his place and propose the taxes by which that sum shall be met annually. Far be it from me to deny that it is within the power of this House to alter the system under which provision is made for the public expenditure. The House is, no doubt, entitled to take into its own hands the preparation of the Estimates, and to commit to Members of its own choice the proposal of the public charges and taxes. But what I contend is that these two things ought to go together, and that nothing can be more preposterous than that individual Members should come to this House and propose to scatter right and left boons and bonuses to particular classes and parts of the community, leaving to the Crown and the executive Government the odious task of proposing the resulting taxation. If the hon. Member had—as he must have had—it in his mind to make this proposal a fortnight ago, why did he allow me to introduce a Bill for taking *2d.* off the income tax? Why did not he resist that? Here is £2,500,000 to be provided for. Within a week after the House has passed a Bill for destroying £2,500,000 of the public revenue in the shape of income tax down comes the hon. Gentleman with a Motion which means that that tax ought to be re-imposed. But perhaps he will say that it ought not. [Mr. KNIGHT was understood to assent.] Is the hon. Member aware what serious considerations he is raising? This is virtually a Motion for largely diminishing the direct and adding to the indirect taxation of the country; because he would not retain the income tax at its old amount, and he has not in the slightest degree indicated his view as to the manner in which this heavy charge should be met. The balance between direct and indirect taxation is one of the nicest matters with which Parliament can deal. Wholesale attempts to relieve—not merely one kind of property at the expense of another, which would be a small matter—but to relieve the property of the country at the expense of the labourer, are very tender matters for the hon. Gentleman and some of those who have supported him to touch. But that is the practical effect of these transfers. I am astounded at the way in which all the opponents of centralization come forward to centralize when the object is to obtain relief from a pecuniary charge. All the sacredness of self-government, and the necessity for repelling the obtrusive action of the central principle, and maintaining the self-acting force and habits of Englishmen, inherited from their ancestors, appear to be completely forgotten upon an occasion of this kind, when marshalled by the hon. Member they come forward for the purpose of effecting this change. And what is the meaning of a transfer from local to public expenditure? It is a transfer from a fund which is supplied exclusively by a tax upon property to a fund five-sevenths of which are supplied by taxation not upon property but upon consumption. And who is it that provides the taxes upon consumption? Why, the greater part of them are paid by the labour of the country. And therefore, because my right hon. Friend (Mr. C. P. Villiers) has proposed a measure which, although sustained by the highest authorities, must incidentally modify the charge upon real property in particular parishes, the hon. Gentleman proposes to revenge himself by not merely altering taxation in its incidence on property, but by relieving the whole property of the country—not real property only, but property generally—from a local charge, and placing it upon a fund a great portion of which is supplied by taxes levied upon consumption. Can the hon. Member think that that is a course which it is desirable to pursue? Why because of this Bill of my right hon. Friend's are additional burdens to be laid upon the labourers of this country? Why is an additional drain to be made upon that fund which is sustained by such duties as the tobacco duty, the malt duty, and others which are paid in the main by the labouring classes of the community? I am persuaded that the House will not adopt this Resolution. It is another of that, I must say, ill-favoured family of abstract Resolutions whereby the House is continually tempted and incited by magicians who come forward to charm us for the moment into forgetfulness of our obligations. It is a Resolution which invites the House to assert something that sounds exceedingly agreeable, without, at the same time, doing the thing which is excessively disagreeable, but which is necessary to give it practical effect. I should like to know the views of the hon. Gentleman as to the mode of meeting the charge he proposes to create. Will he double the Succession Duty? The Succession Duty is levied partly upon personal and partly upon real property. Will he double the Succession Duty? That will supply part of the money. I will not treat this as an abstract Resolution, but as a practical proposition—as a Vote in Supply that must be followed by a provision in Ways and Means—and if the hon. Gentleman succeeds in inducing the House to impose this change, they ought not to impose it without having in view the means by which it is to be met. I do not think that the hon. Member would double the Succession Duty. I confess I should be very sorry to see it doubled. I have no wish to see this extensive tampering with the taxation of the country for purposes which appear to me to be so critical as regards the risks they involve, and so slight and trivial as regards any benefits that will follow them. But if that is not to be so, I hope that the House will have little difficulty in declining to deal with this question in the shape of a merely general and abstract declaration, and will therefore refuse to assent to the Motion of the hon. Member. The opportunity I have had of observing the working of our system of taxation has convinced me that whatever fault may, in the abstract, be found with our system of local taxation, that system is thoroughly wedded to the habits and usages of the country, and that taxes which are readily paid for local purposes cannot possibly be levied for Imperial purposes. When you remove a charge from local taxation, and place it upon the central Exchequer, you are taking it from a taxation which is easily levied, and placing it upon a fund which it is far more difficult to feed. I do not mean to deny that indirect taxation is levied with great facility, but direct taxation, which is levied for the purposes of the Imperial Exchequer, is raised with very great difficulty, and with a difficulty which stands in remarkable contrast with the facility with which it is levied for local purposes. Why is it levied with such facility for local purposes? It is because, being levied in comparatively narrow districts for purposes with which the taxpayers are themselves familiar, as they are also familiar with the machinery through which it is expended and the benefits which it produces, the matter is brought nearer to their views and convictions; and the unwillingness which they would feel to pay taxes which are required for expenditure at a distance is very much less felt when they are called upon to pay taxes which are raised, managed, and expended in their own neighbourhood. After all that has been said by my right hon. Friend upon the bearings of this measure I need not go further into the subject; and I will therefore only add that the House will do well to pause before it accedes to a Motion involving principles and consequences which it appears to me that the Mover himself has very inadequately recognized.

Sir JOHN TROLLOPE opposed the Motion on different grounds. The question of dealing with the Poor Laws, as opened up by the President of the Poor Law Board, was sufficiently difficult in itself without adding difficulties which the Motion of his hon. Friend would involve. He had opposed the Bill on the ground of its centralizing tendency. He agreed with the right hon. Gentleman the Chancellor of the Exchequer that municipal and local self-government was one of the most valuable and cherished institutions of the country; and he deprecated the Motion of his hon. Friend, because that Motion would diminish the effect of those institutions and would throw the administration of the poor rates on aggregate masses, at the same time that it destroyed or diminished local responsibility. He trusted that his hon. Friend would not press his Motion to a division.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill *considered.*

Mr. KNIGHT moved to insert the following clause:—

(Rating of small tenements.)

"In unions where any local Act or Acts are in force which enact that small tenements of a similar rateable value may be compounded for on different rates in different parishes in the same union, so much of such local Acts as renders it impossible for an equal rate to be made on all the small tenements throughout any union shall be and are hereby repealed; and the general provisions for rating small tenements contained in the Act 13th and 14th of Victoria, cap. 99, shall be in force in all parishes alike in such unions."

Clause (Rating of small tenements,)—(*Mr. Knight,*)—*brought up*, and read 1°.

Motion made, and Question proposed "That the Clause be read a second time."

Mr. C. P. VILLIERS said, that the clause was rendered unnecessary by a decision which had been arrived at by the Court of Common Pleas on the point to which it related. What was proposed to be enacted by the clause had been thereby decided to be now the law.

Mr. HENLEY asked whether the decision in the Common Pleas did not alter the status of the tenements which had been compounded for under Mr. Halsey's Act.

Mr. C. P. VILLIERS replied that the Assessment Act made it necessary to state the full value of all tenements, but this did not affect the arrangements between landlords and tenants.

Mr. HENLEY: The compositions are between landlords and parishes.

Mr. C. P. VILLIERS said, the decision did not affect these compositions.

Mr. HENLEY said, he considered it necessary to press his question. The decision of the Court of Common Pleas, as he understood it, completely upset all the arrangements which were made under what was known as Mr. Halsey's Act, which operated to the advantage of a parish, not only by procuring the payment of the rates, whether a tenement happened to be occupied or unoccupied, but also by securing the receipt of the money without the cost of collecting it from some fifty or sixty tenants. That being so it would be well, he thought, that the right hon. Gentleman should consider whether it was not expedient that he should introduce a measure to remedy the inconvenience which in consequence must arise. That and some other matters in connection with the Assessment Act might very well be remedied in one measure.

Question, "That the Clause be read a second time," put, and *negatived.*

Mr. C. P. VILLIERS then moved in the clause providing for deaths in the workhouse, to leave out

> "And all fees for registering births and deaths in the same, shall be charged by the guardians to the common fund."

And in the clause relating to unions, under local acts, after common fund, to insert

> "Or where the common fund is not calculated upon an equal basis throughout the union or incorporation."

Motion *agreed to.*

Mr. CAVE asked the right hon. Gentleman the President of the Poor Law Board whether the Amendment of the hon. Member for South Devon, with regard to a one year settlement, was wide enough to embrace the Gilbert unions and other unions under local acts. If not, there would be a different state of things in them and in the ordinary unions which might be productive of mischief.

Mr. C. P. VILLIERS said, it would, but it was his intention to bring in a Bill to break up the Gilbert unions and attach those parishes to other unions.

Sir BALDWIN LEIGHTON asked if it would apply to all the parishes under the Act of Elizabeth, as well as the Gilbert unions.

Mr. C. P. VILLIERS said, it would.

Amendments made; Bill to be read 3° on *Thursday.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee:—

(In the Committee.)

Class II—Salaries and Expenses of Public Departments.

(1.) £1,938, to complete the sum for Privy Seal.

(2.) £5,874, to complete the sum for Civil Service Commission.

(3.) £14,391, to complete the sum for Paymaster General's Office.

(4.) £3,048, to complete the sum for Controller General of the Exchequer.

Colonel SYKES objected that the salary of the Controller General was not given. This was necessary to show what was the entire cost of the Department.

Mr. PEEL said, the salary of the Controller General was charged on the Consolidated Fund.

Vote *agreed to.*

Motion made, and Question proposed,

> "That a sum, not exceeding £24,148 be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1866, for the Salaries and Expenses of the Office of Commissioners of Her Majesty's Works and Public Buildings."

Mr. AUGUSTUS SMITH complained that the Chief Commissioner was not in his place at a time when the sums for his Department were being voted, to give explanation and information that might be required. He wished to ask a question with regard to the salaried architect and surveyor. They had been told that there were several plans preparing relative to certain galleries at South Kensington for the reception of certain collections for the British Museum. Now, they had already had to pay large sums for the preparation of plans upon this land. Was Mr. Pennethorne occupied in preparing any plans at present, and was he paid extra for these beyond what he received as salaried architect and surveyor?

Mr. PEEL said, the arrangement with regard to the remuneration of Mr. Pennethorne had been attended with a very considerable saving. He received £1,500 a year for all his duties connected with the Office of Works—such as the repairs of buildings belonging to the Government; but with regard to extra work, as when he was called to design new buildings, he received extra payment.

Mr. AUGUSTUS SMITH asked if Mr. Pennethorne was now preparing any designs for new buildings in Kensington?

Mr. PEEL: Not that I know of.

Mr. BLACKBURN said, he could not help thinking that the Estimate for this Department was most extravagant—£32,148 for surveying and looking after public works and buildings. It was £5,000 more than the expense of the Home Office. He found surveyor of works with a salary of £1,000; salaried architect and surveyor, £1,500; assistant-surveyor of works in London, £600; assistant to ditto, £300; assistant-surveyor of works out of London, £500; itinerant ditto for post offices and probate registries, £400; examiner of claims for rates on Government property, £400. He thought the Government paid no rates, and did not, therefore, see why they should pay an officer £400 a year for examining the claims for rates on Government property. Then there was an assistant-surveyor for Scotland, £500; clerks to ditto, £320; solicitor, £1,800. In a note they were informed the Solicitor in Scotland was not a salaried officer, and he was put down at £250. He thought the Government ought to be ashamed of these charges, and that next year an effort would be made to reduce them. He would himself move a reduction, but he feared it would be of no use.

Mr. HENNESSY called attention to the fact that while the minimum salary of the itinerant surveyor was £400, and the maximum £600, the sum charged was £1,092, which appeared to be the maximum in both cases.

Mr. PEEL said, that there were two officers' salaries included in the Estimate, the minimum of both being £400. If the maximum in both were charged, the sum would be not £1,092 but £1,200.

Mr. HENNESSY said, that the Solicitor to the Board of Works, in addition to his £1,800 a year in salary, was allowed, for fees to counsel and law stationers' charges, £1,000 a year. His salary was greater than that of an Under Secretary of State. But while there was a Solicitor for Scotland at £250 a year, there was not one in Ireland. Perhaps the Chief Secretary would take this into consideration. In the absence of the Commissioner of the Board of Works it would not be treating him or the House with respect to pass this Vote. He must, therefore, ask the Vote to be postponed, or would move to report Progress.

The CHANCELLOR of the EXCHEQUER said, it had been expected that when they got into Committee of Supply they would be engaged in a long discussion on the Navy Estimates, and therefore his right hon. Friend was not present. If it was the desire of the Committee that the Vote should in the meantime be withdrawn there could be no objection to that course.

Mr. HENLEY said, that the same excuse which the Chancellor of the Exchequer urged for the absence of the right hon. Gentleman—namely, the expectation that they would be so long occupied in discussing Navy Estimates — applied to every other Member, and showed the inconvenience of dodging on the Civil Service Estimates, when nobody knew they would be taken.

Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That a sum, not exceeding £20,482, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1866, for the Salaries and Expenses of the Office of Woods, Forests, and Land Revenues."

Colonel SYKES pointed out that the solicitor received £1,500 a year as a salary; his four clerks, £1,176; on account of disbursements, £3,000 a year more. The solicitor in Scotland received £2,000 a year, and in Ireland, £250. The other legal expenses were for the land revenue department, £400 a year; ditto in Scotland and Ireland, £200 a year; ditto in Wales, £900. Thus there was a sum of £6,000 for legal expenses, or about 16 per cent of the total charges.

Sir WILLIAM FRASER asked some Member of the Government to prevail upon the First Commissioner of Works to exert himself for the improvement of the Royal Parks. The same watering carts were used as in his childhood, and apparently the same horses and men.

Mr. PEEL said, the sum charged for legal expenses included the gross charge, but there ought to be set in diminution of it the amount received in law costs, which amounted to £3,000.

Mr. COX said, if the right hon. Gentleman the Chief Commissioner of Works were present, he would cite him as a witness to what he was about to say. A Committee sitting upstairs, of which he was a Member, had found that the manner in which business connected with the property of the Crown had been conducted was this—The Crown possessed rights over the whole of Epping Forest, and up to a certain period the Government sold from time to time to private individuals the rights of the Crown over certain portions of that forest. They had it in evidence that one purchaser had paid to the Crown £3,000 for 600 acres. The hon. Member for Maldon (Mr. Peacocke) had moved and carried a Resolution in that House declaring that all further sales of the rights of the Crown over Epping Forest should cease, because it was desirable to maintain the open spaces for the recreation of the inhabitants of the metropolis. Yet they had it proved in evidence from the First Commissioner of Works that ever since that Resolution was passed inclosures had been and were taking place at Epping Forest without the Crown receiving a shilling, and that the Department adopted no steps whatever to prevent them on the ground of expense. There remained some 12,000 or 14,000 acres over which the Crown had rights, and if those rights over 600 acres were worth £3,000, it was easy to calculate what was their value as regarded those 12,000 or 14,000 acres. Yet the House was now called upon to vote £7,400 for legal expenses. He begged to move that the Chairman now report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Cox.*)

Sir GEORGE GREY said, that the Vote had no reference to the Department presided over by the Chief Commissioner of Works. The Committee were still prosecuting their inquiries, but had not made their Report. The hon. Member for Finsbury had been guilty of an irregularity in referring to evidence which had as yet been printed for the use of the Select Committee only.

Mr. COX said, the Committee was a public one, and the evidence it took was published in the newspapers.

The CHAIRMAN said, it was irregular to refer to evidence taken before a Committee before it had been reported to the House.

Mr. PEACOCKE thought the hon. Member for Finsbury (Mr. Cox) hardly so much out of order, because the House was already in possession of the evidence to which he had referred. It appeared that the rights of the Crown and the public had not been maintained in Epping Forest, because the Government would not incur the expense of litigation. If that principle was to be acted upon, what Crown property would be safe? But while the Government refused to vindicate the right of the public to these open spaces they were not unwilling to expend upwards of £7,000 for other legal charges, which demanded inquiry from the Committee.

Mr. LYGON asked, whether it was true, as stated in the various newspapers, that a failure of justice had taken place in a recent case of murder, in consequence of the Advisers of the Crown having neglected to appoint certain Forest officers, who alone could have arrested the persons charged with that heinous crime? Some explanation was due to the House on that matter. Very large sums were squandered by the Departments of Woods and Works in maintaining contests with each other before Parliamentary Committees and elswhere.

Sir GEORGE GREY was understood to say, that if the hon. Member would give him particulars of the case of murder to which he had referred, he would make inquiries into it. He had not as yet heard of it.

Mr. DILLWYN thought the Government were not treating the Committee fairly in now pressing on that Vote, and he would support the Motion for reporting Progress.

Mr. HENNESSY called upon some Member of the Government to explain the extraordinary discrepancy between the law charges for Scotland and Ireland; £2,000 was asked for Scotland, and only £250 for Ireland.

Mr. PEEL said, the difference between those two items arose from the different nature of the property. In Ireland they had to deal with head-rents, about which there was no difficulty; whereas in Scotland great expense had to be incurred for recovering the property of the Crown. At the same time, that charge was not likely to continue long.

Mr. BLACKBURN said, that claims had been asserted on the part of the Crown in Scotland to every little inch of mud, and heavy expenses had been incurred with very small profit.

THE CHANCELLOR OF THE EXCHEQUER denied that these proceedings were undertaken frivolously or from any abstract love of litigation. They were instituted from a sense of duty. The rights of the Crown had to be vindicated, and its property preserved from waste, dilapidation, or lapsing into private hands.

MR. BLACKBURN said, he was often at a loss to know how rights claimed for the Crown could benefit the public. There was one remarkable case on the coast of Scotland, where poor fishermen had been in the habit for years of taking mussels; but the Crown, in the exercise of one of these rights, had latterly taken to charging a small rent for this privilege. How did the public gain?

MR. LOCKE said, he looked upon the recovery of small sums by the Treasury as very unimportant compared with the maintenance of great public privileges; but it was certainly competent to any Member to ask how much money was devoted to Epping Forest to maintain the public rights, which rights, if maintained, would be of great benefit for the public at large. He wanted to know whether any attention had been paid to these rights; and for himself, he must express the opinion that the rights of the public had been utterly ignored by the Crown. If the Government contemplated spending this money to protect the rights of the public, he should be happy to vote it; but he thought that more explanation should be furnished before they did so.

MR. PEACOCKE said, he understood the Chancellor of the Exchequer to say that this expenditure was incurred to prevent the rights of the Crown being wasted by the cupidity of individuals; and he wished to know how this statement could be reconciled with the fact that when the Government were called upon to fulfil the wishes of the Committee, and prevent the rights of the Crown in Epping Forest being wasted by the cupidity of individuals, the Secretary of the Treasury said that they were unwilling to incur the expense of defending those rights.

THE CHANCELLOR OF THE EXCHEQUER said, that the two cases were entirely different. They incurred expense when they thought it worth while to do so, but in the case just referred to they did not think so. There was no inconsistency in the Office of Woods, which was constituted by Act of Parliament expressly for the purpose of dealing with such questions; prosecuting rights that they thought it worth and refusing to prosecute those that they did not think worth enforcing.

SIR JOHN TROLLOPE, as Chairman of the Committee upon this subject which sat two years since, said, that it appeared to him that the right of the Crown in the Forest was simply that of herbage and browsing for the deer. The deer had now disappeared, and therefore the rights of the Crown were now extremely difficult to define. In former times Lords of the manor had purchased the rights of the Crown in order to get rid of the deer; but it appeared that the rights of the Crown were at present exceedingly small and worthless.

MR. COX said, the rights of the Crown might appear infinitesimal on paper, but in practice they had the effect of preventing inclosures which would otherwise be made. In one case a purchaser had been willing to give £3,000 for the Crown rights over 600 acres of land; and yet the Government were now willing to let 14,000 or 15,000 acres go without the slightest effort to protect them. It was high time, therefore, that steps should be taken by others.

SIR JOHN TROLLOPE said, the purchase in question had been made with a view to inclosure; but that took place before the inquiry by the Committee over which he presided. Everybody knew that the Lords of the soil could and did favour inclosures. The Crown, on the contrary, had no rights in the soil.

MR. LOCKE thought that the maintenance of the rights of the Crown was most important, because they would prevent inclosure in the Forest. The Department was often ready enough to enforce some trumpery right of the Crown, but when the use of a large tract of land like this by the public was at stake, they declined to interfere. This being so, the rights of the public, placed in the Crown, were set aside. The Crown rights might have been in abeyance; but time did not run against the Crown, and therefore they might be resumed at any time. The question demanded from the House its most serious consideration, and before they voted the money the Committee had a right to know whether it was intended to perform that duty to the public which had been hitherto so entirely neglected.

MR. KINNAIRD reminded the hon. Baronet opposite (Sir John Trollope) that the Report of this Committee was only carried by a majority of one. Since then another Committee had been appointed, whose Chairman he was happy to say did not take a narrow view of the question; and in the course of their inquiry they found new lights, new features, all tending —[" Order! "]

THE CHAIRMAN: The hon. Member must not go into matters which are not before the House.

MR. KINNAIRD apologized for having been led to allude to matters some of which had only transpired that day, but the general results were as he had represented. As far as could be learnt from the public newspapers, the Crown solicitor was taking no notice of the encroachments at the present time.

MR. HENLEY said, that the Chancellor of the Exchequer had told the House that this matter was under the direction of the Woods and Forests, subject to the Treasury, and that they only protected the rights which they considered worth protecting. He had always understood that this property was held in trust for the Crown, and he thought it a very questionable proceeding to allow the Office of Woods and Forests by its own *laches* to deprive the Crown of its property.

THE CHANCELLOR OF THE EXCHEQUER thought that the right hon. Gentleman entertained curious notions of the duty of a trustee. It was the duty of a trustee to act for the benefit of those for whom he was trustee; and if there existed abstract rights, the vindication of which would cost more than they were worth, it was not the duty of a trustee to enter upon litigation in respect to them.

MR. HENLEY reminded the right hon. Gentleman that in the case of the public and the Crown the rights were defended, not at the expense of the Crown, but at the expense of the public.

MR. PEACOCKE observed that nothing could be more unfounded than the statement that these disputed rights were valueless. They had been sold for about £6 an acre.

MR. AYRTON thought this a very serious question. It was really whether, after the House of Commons had passed a Resolution which was distasteful to the Commissioners of Woods and Forests, that Office was to be allowed to set up its back against the determination of the House, and pursue a course of proceeding which had the effect of entirely defeating the Resolution. If by the evidence taken before the Committee now sitting it should appear that the Woods and Forests had pursued such a line of conduct, of course it would be the duty of the Committee to bring the matter under the notice of the House, and the House would be forgetting what was due to its own dignity if it allowed functionaries so acting to remain in office. The inhabitants of the metropolis had a distinct interest in Epping Forest. It was an old institution for them to hunt there; and hon. Members who had partaken of the hospitality of the Mansion House might sometimes have seen in that place a person in gaudy clothes, who was the Master of the Hunt and supposed to be engaged in training the hunters in Epping Forest. It was not a mere question of browsing deer; but the Crown had the right of hunting, and of granting the right to others—so that it was obvious no one could inclose the Forest.

MR. PEEL said, that the only right which the Crown had in Epping Forest was the right to prevent inclosures. The owners of the land were willing to purchase that right, and so long as that was the case the Crown had no hesitation in taking steps to prevent unauthorized inclosures; but in consequence of the Resolution, which was passed, to the effect that no further sale of Crown rights should be made, the result was the rights ceased to have any value whatever; and he undertook to say that, according to the provisions of the Land Revenue Acts, the Commissioners of Woods and Forests were not justified in expending money out of the Crown revenue to assert rights which were not capable of realizing money for the Crown revenue.

MR. LOCKE said, that the great object of the Resolution to which the right hon. Gentleman had referred was that Epping Forest should be kept open for the benefit of the public at large. But immediately that Resolution was passed the officers of the Crown seemed to have said that they would take no steps for that purpose, but would allow persons to inclose right and left.

MR. HENLEY said, the Secretary to the Treasury had laid down a very curious doctrine—namely, that this property of the Crown when they could sell it, was worth £5 an acre, but because it was the wish of the House, which had the annual usufruct of the money, that it should not be turned into ready cash, but should remain unprofitable for the present, then that any person should be allowed to rob the public. If a gentleman had a coal mine upon his estate, but did not choose to work it, was it to cease to be his on that account? If the property belonged to the Crown, then the right hon. Gentleman was bound to prevent other people from turning it to their own use.

SIR GEORGE GREY said, he should consent to report Progress.

MR. AYRTON trusted the right hon. Gentleman would not bring the subject forward again until the Committee were able to report on the conduct of the officer concerned. It was a most serious case, and they would pursue it.

COLONEL FRENCH was of opinion that the Secretary to the Treasury was the person who was responsible.

MR. PEACOCKE was perfectly surprised that the Secretary to the Treasury should have sat in his place and allowed the Committee to suppose that it was the right hon. Gentleman the Commissioner of Works who was responsible. He would ask, had not a charge to that effect been made, and had it not been tacitly accepted by the right hon. Gentleman? The Commissioner of Works had nothing to do with this department, which was under the Woods and Forests, who were responsible to the Treasury.

MR. PEEL said, he supposed that everybody was aware that the Treasury was responsible.

Question, "That the Chairman do report Progress, and ask leave to sit again,"—put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee also report Progress; to sit again on *Wednesday.*

INLAND REVENUE ACTS.

COMMITTEE.

Acts *considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER rose to propose certain Resolutions, in addition to the general Resolution to which he had referred in the financial statement. The first Resolution had been only considered since the financial statement and referred to the transfer of mortgages. The law on the subject at present was very defective, and it was proposed to amend it by imposing on the transfer of mortgages a duty analogous to that which was imposed on the original making of the mortgage, but only to one-fifth of the amount. The practical effect would be to impose an equal instead of an unequal charge, and to give relief to all mortgages under £7,000, while upon mortgages above that sum the charge would remain the same, or would become higher than at present. The present law was this—if the sum did not exceed £1,400 it was chargeable with an *ad valorem* duty of 2*s.* 6*d.* the £100; but if it exceeded £1,400 it was only chargeable with a fixed sum of 35*s.* That was a state of the law which was altogether in favour of large transactions and bore hard upon small ones. His Resolution, therefore, proposed in lieu of the present duties—for every £100, or any fractional part of £100, of the amount or value of the principal money or stock already secured by such mortgage, wadset, or other such security transferred, or assigned or disposed, the duty of 6*d.*; and if any further sum of money or stock should be added to the principal money of stock already secured, there should be charged the same duty as on a mortgage or wadset, for the amount or value of such further money or stock. The right hon. Gentleman then moved the first Resolution.

MR. WALPOLE was of opinion that as much revenue could be obtained by keeping the duty at a moderate amount.

THE CHANCELLOR OF THE EXCHEQUER said, that the Resolution involved an equal scale of charge, reduced by one-fifth.

1. *Resolved,* That, in lieu of the Stamp Duties now Chargeable upon any transfer or assignment, disposition, or assignation of any mortgage or wadset, or of any security chargeable as a mortgage, or of the benefit thereof, or of the money or stock thereby secured, there shall be charged and paid for and upon every such transfer or assignment, disposition, or assignation as aforesaid, the following Stamp Duties (that is to say):

For every £100, or any fractional part of £100, of the amount or value of the principal money or stock already secured by such mortgage, wadset, or other such security as aforesaid, thereby transferred, or assigned or disposed, the Duty of sixpence;

And if any further sum of money or stock shall be added to the principal money or stock already secured as aforesaid, there shall be charged and paid also the same Duty as on a mortgage or wadset, for the amount or value of such further money or stock.

THE CHANCELLOR OF THE EXCHEQUER then proposed the second Resolution, the object of which he stated to be to bring under the law applicable to loans or shares raised for companies or corporations at home, loans or shares for companies abroad, a penny stamp for the receipt of money.

Motion made, and Question proposed,

"That the Stamp Duty now chargeable on receipts given for or upon the payment of money shall extend to and be chargeable upon all receipts and acknowledgments, by whomsoever given, for sums paid or deposited for or in respect of allotments of shares, and calls upon scrip or shares, of or in any loan or proposed or intended loan raised or proposed to be raised by or on behalf of any Foreign or Colonial Government, State, Corporation, or Company."

Mr. HENNESSY said, that in order to give effect to what he understood to be the intentions of the Chancellor of the Exchequer, it would be necessary to insert the words "in this country," otherwise a loan raised in Canada for Canadian purposes would be liable to the duty.

Amendment proposed, in line 5, after the word "raised," to insert the words "in this Country."—(*Mr. Hennessy.*)

Question proposed, "That those words be there inserted."

The CHANCELLOR of the EXCHEQUER hoped the hon. Gentleman would not press his Amendment. If the limitation were inserted in the present instance great inconvenience might arise in its absence in other cases.

Mr. WALPOLE hoped that the right hon. Gentleman would not agree to the Amendment. The Resolution was according to the usual form, and the Government were quite right to make it general.

Mr. HENNESSY said, he would withdraw the Amendment, but in doing so would remind the Committee that the Chancellor of the Exchequer had used the words "raised at home" in his description of the loans to be raised under this Resolution.

Amendment, by leave, *withdrawn.*

2. *Resolved,* That the Stamp Duty now chargeable on receipts given for or upon the payment of money shall extend to and be chargeable upon all receipts and acknowledgments, by whomsoever given, for sums paid or deposited for or in respect of allotments of shares, and calls upon scrip or shares, of or in any loan or proposed or intended loan raised or proposed to be raised by or on behalf of any Foreign or Colonial Government, State, Corporation, or Company.

The CHANCELLOR of the EXCHEQUER said, that in the next Resolution it was necessary that the distinction should be inserted, because the question turned entirely on the place where the transaction took place. A practice had sprung up of effecting the insurances abroad, by which course, although the security was British, the stamp duty was evaded. The Resolution which he now proposed, was to enable the Government to apply the provisions of the Stamp Acts to such policies when they came into this country.

3. *Resolved,* That the Stamp Duties chargeable under any Act for the time being in force, upon or in respect of any Policy of Insurance of any description, shall extend to and be deemed to be payable upon and in respect of any Policy or other Instrument of Insurance which shall be made or signed out of the United Kingdom, by or on behalf of any person carrying on the business of Insurance within the United Kingdom, or by which, according to any stipulation, agreement, or understanding expressed or implied, any loss or damage, or any sum of money shall be payable or recoverable in the United Kingdom, upon the happening of any contingency whatever.

The CHANCELLOR of the EXCHEQUER said, that the fourth Resolution was somewhat complicated, and involved minute details with which he would not now detain the Committee. The principal branches of insurance were three—namely, Life Insurance, Fire Insurance, and Marine Insurance; but of late years there had sprung up a business in insurance of a very varied character. For example, there was now cattle insurance against loss by disease; hailstorm insurance against loss by hailstorms; plate-glass insurance against loss by breakage, and chiefly applicable to shop windows; railway accidents and accidental death insurance; and for all these kinds of insurance the arrangements made were more or less anomalous and unequal, and in some the duty was higher than it ought to be. With regard to railway accident insurance, 5 per cent was paid on the gross receipts of the Company. The Company was satisfied with that arrangement, and the Exchequer was satisfied also, as the duty was levied in a way which secured its easy collection and just payment, and they, therefore, did not intend to disturb that arrangement. He was anxious that it should be understood that these new duties would apply only to contracts made after the passing of the Act, and to all renewals of existing insurances if it be found to the interest of the parties to preserve the old rates. As regarded the new rates, their object was to come as near as they could to 5 per cent with all the rest, but they could not in all cases come at it from the books so well as by the Railway Accident Company's payments.

4. *Resolved,* That, in lieu of the Duties now payable thereon, there shall be charged and paid for and upon any Policy of Assurance, whereby any lawful Insurance not chargeable with Stamp Duty, as Life Insurance, Fire Insurance, or Sea Insurance, shall be made upon any property or interest whatever from loss or damage of any kind; or whereby any sum of money shall be assured or agreed to be paid only upon the death of any person from accident or violence, or otherwise than from a natural cause, or as compensation for a personal injury; or whereby any sum of money shall be assured or agreed to be paid as or for loss or damage, or compensation for or indemnity against loss or damage, arising from or consequent upon the happening of any accident, the following Duties (that is to say):—

Where the Assurance shall be made for any period of time not exceeding one year, and shall not be expressed in the Policy to be renewable,—	£	*s.*	*d.*
If the premium or consideration for such Assurance shall not exceed 2*s.* 6*d.* - - - - -	0	0	1
And if the same shall exceed 2*s.* 6*d.* and shall not exceed 5*s.* - -	0	0	3
And if the same shall exceed 5*s.* then for every 5*s.*, and also for any fractional part of 5*s.*, of such premium or consideration - -	0	0	3

And where any such Assurance, as aforesaid, shall be made for any certain period of time exceeding one year, or shall be renewable for any certain period of time over and above or after one year, then, in addition to the respective rates of Duties aforesaid, there shall be charged and paid upon the said Policy the same rates of Duties respectively for every year and every fractional part of a year over and above the first year for which the same shall be made or be renewable; Provided always, That, where the Policy shall be made or be renewable for the term of five years or upwards, then an abatement of one-fifth of the said duties shall be made for every entire period of five years of the said term; and, where the Policy shall be made or be renewable for any indefinite or unlimited period of time, then there shall be charged and paid upon the said Policy the same amount of Duty, subject to the like abatement, as on a Policy renewable for a certain term of five years:

And where any such Assurance, as aforesaid, shall be made on such terms or conditions, either with regard to its duration or the rate of premium or otherwise, that the rates of Duty aforesaid cannot be applied to the same, or the Policy charged therewith, then, in lieu of the foregoing rates of Duty, there shall be charged and paid upon such Policy, in respect of the amount of the sum insured, the same rate of Stamp Duty as is now chargeable by Law on a Policy of Life Assurance.

5. *Resolved,* That it is expedient to amend the Laws relating to the Inland Revenue.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

The Chancellor of the Exchequer

DOGS REGULATION (IRELAND) BILL.

[BILL 127.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 20, inclusive, *agreed to* with Amendments.

Clause 21 (Penalty for refusing to produce Licence.)

Mr. COGAN said, that under this clause the police would have the power to inquire of any person passing along the street accompanied by a dog whether a licence had been taken out for the dog. He considered the provision arbitrary and inquisitorial, and moved that the clause be omitted.

Sir ROBERT PEEL said, he did not think any hardship likely to arise from the working of the clause. The same regulation existed in the case of sporting dogs.

Colonel DICKSON said, he did not see that any greater hardship would be inflicted in a case of this kind than in the case of a man out with a sporting dog.

Sir COLMAN O'LOGHLEN said, that as the clause was now worded the owner of every dog must carry the licence about with him.

Question put, "That Clause 21, as amended, stand part of the Bill."

The Committee *divided:*—Ayes 46; Noes 16: Majority 30.

Clause *agreed to.*

Remaining clauses *agreed to.*

Mr. COGAN wished to enter his protest against the Bill, as being of a most arbitrary character. Seeing several other clauses on the paper to be brought up, which he considered of a very extraordinary character, he moved that the Chairman report Progress.

Several hon. Members who had given notice of new clauses having stated that they would withdraw their Motions rather than the Bill should be postponed,

Schedule and Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

SHANNON RIVER.

Order read, for resuming Adjourned Debate on Question [18th May], "That Colonel French be one of the Members of the Select Committee on Shannon River."

Question again proposed.

Debate *resumed.*

Question put, and *agreed to.*

Mr. LAIRD, Mr. PEEL, Mr. WILLIAM ORMSBY GORE, Lord DUNKELLIN, Mr. AGAR-ELLIS, Sir EDWARD DERING, Mr. POLLARD-URQUHART, Mr. DUDLEY FORTESCUE, and Colonel VANDELEUR *nominated* other Members of the said Committee:—Power to send for persons, papers, and records; Five to be the quorum.

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) (PROVISIONAL ORDER CONFIRMATION) [NO. 2] BILL.

On Motion of Mr. PEEL, Bill to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Act amending the same, *ordered* to be brought in by Mr. PEEL and Mr. LUKE WHITE.

Bill *presented*, and read 1°. [Bill 163.]

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, May 23, 1865.

MINUTES.]—SELECT COMMITTEE — On River Shannon (Navigation and Drainage) *nominated.* (see p. 628.)

Report—Office of Clerk of the Parliaments and Office of Gentleman Usher of the Black Rod, Second Report* (120).

Second Reading—Mortgage Debentures (107); War Department Tramway (Devon) * [H.L.]

Committee — Companies Workmens' Education (121) [H.L.]; Pilotage Order Confirmation * (67); Public Offices (Site and Approaches)* (68); India Office (Site and Approaches)* (69); Pheasants (Ireland) * (109); Tories, Robbers, and Rapparees * (96).

Report—Public Offices (Site and Approaches)* (68); India Office (Site and Approaches) * (69); Pheasants (Ireland) * (109); Tories, Robbers, and Rapparees (Ireland) * [96].

Third Reading—Exchequer Bonds (£1,000,000),* and *passed.*

THE PATENT OFFICE. APPOINTMENT OF MR. EDMUNDS.

EXPLANATION.

LORD ST. LEONARDS said, he desired to make an explanation of a somewhat personal character in reference to the part he had taken in the appointment of Mr. Edmunds. He found, upon looking over the evidence given before their Lordships' Committee upon the Edmunds case, that, in answer to the Earl of Clarendon, the Master of the Rolls said he did not know exactly in what year the office of Clerk to the Commissioners of Patents was created, but he knew that Mr. Edmunds was appointed by Lord St. Leonards—he believed under the statute of 1852. The fact was that under the Act constituting the Commission the power of making appointments was granted to three of the Commissioners, one of which number must be the Lord Chancellor or the Master of the Rolls. He could not recollect the meeting to which the learned Master of the Rolls referred in his evidence, but he was not in any way complaining of the statement. He had written to the Master of the Rolls, who, in reply, stated that he never meant to imply that there had been any irregularity in the appointment of Mr. Edmunds. The fact was that Mr. Edmunds had been Clerk of the Patents for many years before the Commission was appointed, having received the appointment in 1833, and when it became necessary to appoint a Clerk to the Commissioners it appeared only fair that Mr. Edmunds should have that appointment, and it was regularly made with the concurrence of the two other Commissioners.

LORD CHELMSFORD was sure it had never been intended to impute to his noble and learned Friend that he had either made an appointment which was beyond his authority, nor that he had made an appointment which was not justifiable.

COMPANIES WORKMENS' EDUCATION BILL—(No. 121.)—COMMITTEE.

House in Committee (according to Order.)

In answer to Earl GRANVILLE,

THE ARCHBISHOP OF YORK said, he believed that by law public companies were not competent to vote any portion of their funds to purposes other than those for which they were incorporated, except by a unanimous vote of their members, and that they could not, therefore, vote any money on account of education or worship.

THE LORD CHANCELLOR said, the law as stated by the most rev. Prelate was correct. It was competent to any company to divert the corporate funds to other than corporate purposes. Nothing, in fact, was more common than applications to the Court of Chancery praying for injunctions to restrain companies from applying their funds to other than corporate objects. Such a Bill as that introduced by the most rev. Prelate, therefore, was necessary to effect the required alteration in the state of the law.

Amendments made; The principal of which were that the appropriation of money and land should be made by the votes of three-fourths, instead of three-fifths, of the shareholders, and the land to be appropriated in perpetuity was limited to one acre.

The Report thereof to be received on *Monday* next; and Bill to be *printed* as amended (No. 121).

MORTGAGE DEBENTURES BILL—(No. 107.)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF DONOUGHMORE, in rising to move the second reading of this Bill, said, its object was to enable certain companies to issue mortgage debentures founded on securities upon or affecting law. A Bill having a similar object had been introduced into the House of Commons last Session as a Private Bill, and passed that House; but when it reached the House of Lords his noble Friend the Chairman of Committees objected to its progress on the ground that it should have been brought in as a Public instead of a Private Bill. It was decided that it should be treated as a public measure, and as such it was passed by the House of Lords, after having been carefully examined by a Select Committee, and sent down to the House of Commons, but at so late a period in the Session that it could not be dealt with, and therefore dropped. He assumed that there was no objection to the principle of the Bill. It differed only very slightly in one or two points from the Bill of last Session, and he begged to move that it be now read a second time.

Moved, That the Bill be now read 2^a.—(*The Earl of Donoughmore.*)

LORD REDESDALE said, he would not have troubled their Lordships with any observations if this Bill had been precisely the same as that of last Session. But it was, in fact, a very different Bill in several important particulars. The Bill introduced last Session contemplated the issue of debentures by companies of very substantial and solid character, with shares of not less than £50 each, and with a paid-up capital of £100,000 at least, being not less than one-tenth nor more than one-half of their nominal subscribed capital. Moreover, their transactions were to be limited to dealings in such securities alone as would justify the issue of debentures thereon, whereas by this Bill the company issuing debentures might lend money on any, even on personal security only. The effect of this Bill probably would be that they would have companies created, of anything but a substantial character, lending money in all directions, and involving themselves in considerable liabilities, and these mortgage debentures once issued might continue in circulation after the company had ceased to be solvent. Unless the provisions of the Bill were materially modified he should certainly oppose it in its future stages. This was a question of much more importance than was generally considered. He did not think it had been sufficiently considered even by the Government. Great care should be taken that the companies intrusted with the powers of this Bill should be of the soundest and most undeniable character.

THE DUKE OF MARLBOROUGH said, the principle of the present Bill had been very carefully considered, and assented to by their Lordships last year. The principle was admitted to be a most beneficial one, enabling landowners to obtain money for the improvement of their estates on mortgage upon easy terms, without encountering the legal and other difficulties which now encompassed every transaction of that kind. It was fully considered last year in connection with the very useful Bill of the noble and learned Lord on the Woolsack to enable landowners to charge their estates with improvements on the certificate of the Landed Estates Court. Formerly, it was necessary for a landowner to go to one of two companies, and through their agency to effect the charge which would enable him to make the desired improvement. This Bill would now enable him to effect the improvement, and on receiving the certificate of the Inclosure Commissioners to create a charge on his estate, which he would be able to take to any banking office, or company, or person having money to lend, sell the charge, and reimburse his expenditure. It was very important, he thought, that respectable companies of this kind should be established to enable landowners to take advantage of the most useful Act of last year. It was very unadvisable that landowners should be confined to one or two companies in order to obtain the funds necessary for the improvement of their estates. The principle of the Bill was virtually the same as that of the Bill brought forward by his noble Friend the Chairman of Committees last year, and it gave this additional security, that, instead of the securities on which the debentures would be issued being deposited with the company, they were under this Bill to be deposited in the Land Registry Office. He thought that the objection of the noble Lord the Chairman of Committees was one which would have been better reserved for the Committee, in which he (the Duke of Marlborough) would probably give it his support.

LORD ST. LEONARDS said, that if the Bill were really for the benefit of the landed proprietors it should have his warmest support; but he thought they were getting into a new mode of dealing with money and property, and with trade and commerce, which called for serious consideration. Instead of private persons engaging individually in the pursuits of trade and commerce, they were forming large companies with limited liability; and the fear was that in this way the country would lose the advantage of individual energy and enterprize, while there would be large companies continually drawing upon the community for money and capital to carry on their concerns. In fact, men were driven out of business by these great companies. All the tendency now was to have their Credits Fonciers and their Credits Mobiliers after the French pattern. They had companies with very small capital which operated on the public welfare in a very peculiar way. To enable them to judge of the probable working of that Bill, their Lordships ought to know what was the number and what the nature of the companies who were likely to avail themselves of the privileges it conferred. Let them take the case of a company under this Bill with £100,000 of capital, of which only £10,000 was paid up. There would thus be £90,000 remaining uncalled for—and it should be remembered that sometimes when calls were made they might be made in vain. But the company might lend at interest its £10,000 of paid up capital upon security, and there would be a valuation of the property. Then it might borrow, upon what the Bill described as mortgage debentures, another £10,000, secured upon the mortgage for its first loan to the like amount. And what would be the effect of these mortgage debentures upon the money market? Now, would they interfere with the floating debt of the country? The process became not a *bonâ fide* trade of buying and selling, but a game of lending and borrowing without any effectual check. Having obtained these securities, the company would then borrow another £10,000, and that £10,000 being money in hand, it would lend it again upon other securities. That was the second time it would have turned its capital. When they had got their new securities for the second £10,000 they would then issue further mortgage debentures to that amount. And so that company might go on borrowing and lending *ad infinitum*. True, it was provided by the Bill that the Company must have an equal value of securities with their mortgage bonds; but the value of a property differed at different periods, being affected by fire, tempests, and floods. The only check provided by the Bill was that there must be a corresponding value of securities and bonds; and it would practically amount to nothing. Again, as soon as money had been lent by these companies, and they had got any given number of securities for it, those securities would form one fund, which would become liable for the whole of the mortgage debentures. This requires explanation. The first mortgage bonds of the company would be issued upon the security of the first mortgage to them, but any future loans by them would be issued on the security of all the mortgages to them. Even upon the first mortgage to them it might not be agreeable to find that £50 shareholders—the tradesmen of your neighbourhood probably—had a mortgage on your property, nor where you borrowed £5,000 might you like to find that your property was thrown into a common fund of all the company's securities and charged with them to it may be £100,000. When the mortgage debentures were issued, they were intended to circulate throughout the country; and if they are not paid, the owner would be at liberty to go to the Court of Chancery, when a receiver would be appointed, and all the securities of the company were to be called in and sold. In such case he needed not to tell their Lordships how much money would remain to be divided among the mortgage debtors, and the unfortunate borrowers would without any default of their own be plunged into prolonged litigation with numerous parties wholly unknown to them. Moreover, if landowners pledged their estates in this way they would sap the foundation of settlements. He believed that young men would avail themselves of the Bill for the purpose of raising money, and thus involve themselves in transactions tending to encumber their property beyond relief. There was likewise no direction in the Bill as to how any surplus was to be accounted for; but care was taken to provide by one of the clauses that the mortgage debentures should be no specific charge on the property or effects of the company. There were provisions in the Bill authorizing trustees to lend their trust moneys on these mortgage debentures; which Government ought not to sanction.

Earl GRANVILLE said, that as the Bill had come up from the House of Commons, he thought it advisable to read it a second time, with the understanding that the various provisions would receive careful consideration in Committee.

On Question, *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

CASE OF CATHERINE GAUGHAN.

OBSERVATIONS.

Earl GRANVILLE asked the noble Marquess (the Marquess of Westmeath), to postpone his notice relative to the case of Catherine Gaughan.

The Marquess of WESTMEATH, who had given Notice

> "To call the Attention of the House to the Papers laid upon the Table respecting the Case of Catherine Gaughan; and to inquire why the Decision of the Inspector General of Constabulary of the 28th of February last for the Removal of Sub-Inspector Burke, Constable Cassidy, and Sub-Constables M'Cormack, Sweeny, and Kelly has not been carried out,"

said, this Motion had been upon the paper of their Lordships' House for a considerable time; a week ago a similar appeal was made to him by the noble Earl, to which he (the Marquess of Westmeath) had readily consented; and he should have been glad to accede to his noble Friend's request now, as he wished to show the same courtesy to the leader of the Government as the noble Earl had always shown to every one: but this case showed such an indifference to justice on the part of the officials in Ireland that he could not consent to postpone the statement any further. Indeed, many might be of the opinion that there was no Government in Ireland. There was the name but not the reality, and the whole concern might be supposed to go on of itself. The Lord Lieutenant received his salary, and the tide ebbed and flowed in Dublin Bay, but there was no Government. The present Government had evinced a very fair spirit in their distribution of patronage. There had been a copious distribution of places among Roman Catholics; and, perhaps, the Government was justified by the manner in which their appointments had been conferred. But the Protestant population had also a right to expect that their feelings would be attended to and respected, and thus when they appealed to the courts for justice, and had judgment in their favour, the decisions would be carried out honestly and fairly. The case which he was about to mention was that of a female of about twenty years of age, who, born of Irish parents in Scotland, returned to the native place of her parents who were dead. She met with inhuman treatment from her remaining relatives because she had dared to change her religion and desired to read the Bible. A priest was brought to her and did his utmost to influence her, but he failed to change her determination. Her relatives collected a mob about her who dragged her along the stones by the hair; but after a time she took refuge in a house. A gentleman of the name of Simpson appealed to the police to prevent further outrage, but the only answer which he and others who interfered got was that it was a family affair, and therefore they would not interfere. The girl continued in the house, where they wanted to keep her, and was only released by a warrant from a magistrate, obtained by a Protestant minister; and this being so, their Lordships could judge of the character of the excuse that was offered by the police for not interfering. The true reason was that all the police but one were Roman Catholics, and they were determined that they would give her no protection. The matter was investigated by a court composed of four magistrates, two Protestant and two Roman Catholic. The investigation took place during four days, and the magistrates unanimously convicted the parties who were involved in this atrocity. The charge against the police was that of gross neglect of duty, and the Court said that sub-Inspector Burke was the person principally responsible; but he being a Government officer, they left the matter in the hands of the Government to deal with him as they thought fit. They had also fined him £2, and two others were fined a few shillings each. The matter having been brought under the attention of the Inspector General, he expressed his surprise at the want of zeal of the officers, and directed the removal of the sub-Inspector to Longford at his own expense. The constables were, no doubt, equally responsible, and the excuse which they gave, that it was a family quarrel, the Inspector General said was absurd. These constables had clearly forsworn themselves, for their oath was, under all circumstances, to support the law, and preserve the peace; and yet in the broad daylight they left this poor Protestant girl to be nearly murdered because she had changed her religion. The Inspector General also, like a "great swell"—to use a vulgar expression—denounced the conduct of the officers, and then removed the principal offender into a better situation by way of punishment. The Lord Lieutanant had also sworn to uphold the laws, and he could not but know of this matter. He had hoped that the Lord Lieutenancy would have been before this abolished, for there was no reason for the office being continued. In truth, the Lord Lieutenant received £20,000 for doing nothing except keeping up a pinchbeck Court which nobody respected. It was extremely painful to the Irish that a second-class placeman should stand between them and their Sovereign; and he would ask whether they were to be "hewers of wood and drawers of water" until the end of time? Were they not to receive the same consideration as the English, Welsh and Scotch? He knew he was excited when speaking of these matters, for he had warm-hearted feelings as an Irishman. There was no part of the transaction to which he had referred which was not a disgrace to everybody concerned; and though the noble Earl had been informed, and no doubt believed, that there had not been sufficient time for inquiry, he (the Marquess of Westmeath) could not concur with that view, for the transaction took place on the 26th of January so that there had been plenty of time for inquiry.

VISCOUNT LIFFORD thought the noble Marquess had made out a *primâ facie* case affecting the liberty of the subject, and, therefore, if the noble Earl could give any information he trusted that it would not be withheld.

EARL GRANVILLE said, he had requested the noble Marquess to postpone his Motion until information could be received from Ireland. He could only repeat that he was not in a position to give an answer then. An inquiry into the circumstances referred to had been ordered, but the result had not yet been communicated to him.

IMPRISONMENT OF BRITISH SUBJECTS IN ABYSSINIA.

MOTION FOR AN ADDRESS.

LORD CHELMSFORD rose to move for an Address for Copies of Letters and Papers relating to the imprisonment of British Subjects in Abyssinia; specifying in detail the documents which he required; and also for an account of the presents sent with a letter from Her Majesty the Queen to the Emperor of Abyssinia. The noble and learned Lord said, that he could not help expressing his regret that the noble Earl the Secretary for Foreign Affairs had determined to refuse the production of the papers to which the Motion referred; because this being so he should have to trespass on their Lordships' time with some observations which he believed would prove satisfactorily that he was entitled to ask for those papers, and that the noble Earl was not justified in his refusal. Those papers related to a subject that was calculated to excite universal and painful sympathy. It seemed to him a remarkable circumstance that the public should be left in almost entire ignorance of the fact that for more than eighteen months many of our fellow-countrymen, including missionaries and a British Consul, had been languishing in Abyssinian prisons, exposed to great indignities, amounting to torture, and their friends, at the present moment, being unaware of their actual condition, though knowing that their imprisonment still continued. He was compelled to say that all this misery and suffering had been, if not produced, certainly prolonged, by most extraordinary carelessness and want of judgment on the part of the Foreign Office; and he was not surprised, under these circumstances, that the noble Earl should desire to delay all inquiry into this subject, because he hoped day after day to receive information of the release of these unhappy persons, and then, of course, the observation would be made, "What is the use of now discussing the question when every complaint is actually removed by the release of the prisoners." There was also another mode adopted to deter persons from entering upon any discussion of this question. It was constantly stated that the Emperor of Abyssinia (for "Emperor" was his proper title) was cognizant of all their proceedings, and that if anything were said in Parliament to which he objected, it was likely to operate to the prejudice of these unfortunate persons. Notwithstanding the warning which had been given, undertaking, as he did, the serious responsibility of all the consequences of his Motion, he thought that he was entitled to call upon the noble Earl to state explicitly and distinctly which of all these papers for which the present Motion was made—and of which he had given a precise and correct description—was likely to compromise a single individual, or to prejudice in the slightest degree the case of these persons. In order that their Lordships might understand the grounds upon which he demanded these papers, he must enter into a brief history of previous facts. The elevation to the throne of the present Emperor of Abyssinia, by whose orders these imprisonments had taken place, occurred in February, 1855. He had been a soldier of fortune, and had opened his way to the throne with his sword. Previous to his accession there had been a race of Emperors who were in a state of utter dependence ; some external homage was paid to them by reason of an imaginary descent from King Solomon and the Queen of Sheba, but in reality they were puppets in the hands of two or three powerful vassals. One family had succeeded in securing the dignity of Vizier of the Empire, and they were sovereigns in all but name. One of these in 1849 entered into a treaty of friendship and commerce with this country, in the name of the Emperor ; that treaty was ratified in 1852, and a copy of it was laid upon the tables of both Houses of Parliament in that year. There were two Articles in that treaty that had a most important bearing upon the case now before their Lordships. By the second and third Articles it was stipulated that for the purpose of preserving and strengthening friendly relations between the two nations, His Majesty the Emperor of Abyssinia and his successors would receive and protect any Ambassador, Envoy, or Consul whom Her Britannic Majesty might think fit to send to Abyssinia, and that Her Britannic Majesty would receive and protect any Ambassador, Envoy, or Consul whom His Majesty the Emperor of Abyssinia should send. At the time of the accession of the present Emperor, Mr. Plowden had been for many years our Consul at Massowah, a port in the Red Sea, within the Turkish dominions. There had been no accredited agent to Abyssinia, but Mr. Plowden was intrusted with presents to the ruling power in Abyssinia. He went with these presents and remained in Abyssinia, taking part with the Government in assisting to suppress a rebellion, and on the accession of the present Emperor he continued his services to that potentate. He was actively employed in putting down the rebellion in the empire, and he (Lord Chelmsford) believed that the course he pursued was, if not approved, certainly not condemned by the home authorities. In 1860 while Mr. Plowden was proceeding with a small party, he was attacked by a superior force of rebels, was wounded, and taken prisoner; but he was afterwards ransomed by the Emperor and subsequently died of his wounds. On the arrival of intelligence of Mr. Plowden's death in this country, Captain Cameron, now one of the prisoners, who there held some consulate in the Black Sea, was appointed to succeed him. By some circumstances which were not necessary to be mentioned, Captain Cameron was not able to reach Abyssinia until 1862. He was the bearer of presents to the Sovereign, and he found when he arrived at Gondar, the capital, that the Emperor was in the field against the rebels. He went to his camp in October, 1862, delivered his presents, and met with a favourable reception. From that time Captain Cameron continued to live in Abyssinia in the way his predecessors had done. During the reign of the preceding Sovereign, and while the power of the Vizier who had concluded the treaty was in the ascendant, he contemplated carrying out the Treaty of 1849 by sending an Embassy to this country. This was postponed in consequence of his fall; but it was resumed on the accession of the present Emperor; and on the arrival of Consul Cameron the Emperor expressed his earnest desire that the treaty should be carried out ; and in October or November, 1862, he wrote an autograph letter to Her Majesty the Queen, the contents of which they had from the observations of the noble Earl on a former occasion—a letter requesting permission to send an Embassy to this country. That letter was intrusted to Consul Cameron to despatch to England. His journey to the coast was intercepted by a party of rebels; and when he arrived at Massowah he had to send the letter by a circuitous way to Aden, so that it only arrived in this country in February, 1863. When Consul Cameron had despatched this important letter he went to Bogos, understanding that there had been an invasion of that territory by some neighbouring chiefs, intending to pursue the same policy that his predecessor had adopted. But a different view seemed to have been taken of the course to be pursued by Consul Cameron—he received from the Consul General of Egypt orders to return to his post at Massowah, and not interfere further with the internal affairs of Abyssinia. He (Lord Chelmsford) was not finding fault with this—he was merely stating the fact; but that circumstance was the first occasion of any displeasure by the Emperor towards Consul Cameron. Of course, it was not likely that the total neglect to attend to the autograph letter of the Emperor which reached this country in February, 1862, should be calculated to appease the anger of the Sovereign, and unfortunately circumstances soon occurred to kindle it afresh. There was a missionary station in Abyssinia, established by Mr. Stern, who had been sent out by the Society for Promoting Christianity amongst the Jews. Mr. Stern had paid a visit to this country, and had gone back to Abyssinia, accompanied by a Mr. and Mrs. Rosenthal. Not having seen the Sovereign of Abyssinia since his return, in September 1863, Mr. Stern waited upon the Emperor, accompanied by two interpreters, the servants of another missionary, and of Consul Cameron. In the course of the interview the Emperor was dissatisfied with the manner in which these servants interpreted the address. His anger broke out against them, and by his order they were so severely beaten with rods that the unfortunate men expired the same night. Mr. Stern was naturally excited at this; he could not conceal his feelings; he put his thumb in his mouth (which was interpreted by the Emperor as signifying a threat of vengeance); he was also ordered to be beaten; and his life was in considerable danger. He was afterwards sent down to Gondar, and placed in prison there. In November, 1863, twelve months after the receipt of Consul Cameron's letter, the Emperor sent a body of troops to the missionary station, seized all the missionaries there, loaded them with chains, and put them in prison. He also seized Consul Cameron, imprisoned him, and loaded him with chains; and afterwards he was chained day and night to an Abyssinian soldier. These things having taken place, a Great Court was assembled for the trial of prisoners on the 20th of November, the offenders being Messrs. Stern and Rosenthal. Mr. Stern, unfortunately for him, had published a pamphlet in which he had characterized the mutilations and tortures of certain rebels, who had been taken prisoners by the Emperor of Abyssininia, as a cold-blooded murder, and Mr. Rosenthal had said that it was better to live under the rule of the Turks than under the Abyssinians. The prisoners were brought forward, and after their examination the Emperor caused to be read out a list of his victories, to the number of thirty—a table of his descent from King Solomon, and the Queen of Sheba, and a portion of the Abyssinian code, which was founded upon that of Justinian, which declared death to be the punishment for reviling a sovereign. The members of the Council were consulted as to the punishment to be awarded to the prisoners. Some of them were for inflicting the punishment of death; but milder counsels prevailed, and it was ordered that they should be re-committed to prison, and again loaded with chains from 15lb. to 20lb. weight. At this critical time, when everything was conspiring to exasperate the Emperor of Abyssinia—when twelve months had elapsed, and no answer had been given to his autograph letter, and no notice taken of it—two days after this Great Court was held, a Despatch arrived from the Foreign Office to Consul Cameron, not accompanied by any letter of acknowledgment of the Emperor's letter, directing Consul Cameron to return to his post at Massowah, and giving him something like a reprimand for his absence. It may easily be imagined how highly the Emperor was incensed by this contemptuous disregard of the applications he had made. His anger fell, unfortunately, with full weight on Consul Cameron; he was loaded with heavier chains; he was chained to a native night and day; and his imprisonment was made much more rigorous. At length Consul Cameron contrived to get a letter despatched to Massowah, which reached this country, he (Lord Chelmsford) believed, in February, 1864. That letter contained one important passage, to the effect that there would be no chance for the liberation of the prisoners until an answer was returned to the Emperor's letter. How soon that letter was received by the Foreign Office he (Lord Chelmsford) was unable to say; but at least eighteen months from the time when the autograph letter of the Emperor was written, and sixteen months after that letter had been received at the Foreign Office, it occurred to the noble Earl the Secretary of State that it might be as well to take some notice of it; and accordingly a letter was prepared, under the Sign Manual of Her Majesty, and when that letter was prepared it was sent out for the purpose of being delivered. Now he (Lord Chelmsford) might ask here, as he had done on a former occasion, if it was thought right to send a letter in the month of June, 1864, why it was unfortunately not thought right and proper to have sent a letter soon after February, 1863, when the Emperor's communication was received at the Foreign Office? He (Lord Chelmsford) had put the question to the noble Earl on a former occasion, and he thought it was but due to the noble Earl that he should make the House acquainted with the answer. The noble Earl seemed to think that he had displayed a great amount of simplicity in supposing that there could be that diplomatic Despatch which he had anticipated. The noble Earl said—

> "The noble and learned Lord seemed to think that it was a very easy thing to give an answer to that letter. The letter asked permission to send an Embassy to this country. The state of Abyssinia was very unsettled, and the King complained of encroachments on his territory by Turks and Egyptians, and wished the English and French to take his part if war broke out. Her Majesty's Government by no means desired to take part in such a war, and it was therefore matter of consideration what answer should be given, and the Secretary for India was instructed to pause before returning an answer."

The noble Earl had certainly shown a great deal of ingenuity in making allusion to the expected war with the Turks and the Egyptians, as the letter, according to his own statement, contained no allusion to anything of the kind. The letter was a letter merely asking permission to send an Embassy of friendship and amity to this country, and he should have thought a day or two would have been quite sufficient time to frame an answer. But even supposing that the suggested difficulties existed, the wisdom of Government should, he thought, have been adequate to preparing an answer in a month, but it was only after sixteen months that the Government could make up their minds that it was necessary to return an answer at all to the Sovereign of that country. He need not tell their Lordships that this delay had occasioned great irritation on the part of the Emperor, and he attributed much of the miseries and privations of these unhappy persons to the conduct of the Foreign Office. But the mischief was done, and when the Government had resolved to send out an answer, the circumstances, he thought, were such as should have induced them very carefully to consider what sort of message should be sent to appease the offended Emperor. He (Lord Chelmsford) ventured to express on a former occasion an opinion that it would have been expedient to have sent out a message by an Englishman of some station, with proper attendants, and with presents, which were the usual means of approaching an Eastern Sovereign. The noble Earl was certainly told that there was one person quite ready to undertake the mission with every prospect of success. This gentleman was Dr. Beke, who had written a pamphlet respecting Abyssinia, who was very well acquainted with the country, and who certainly made an offer to the noble Earl to undertake this mission. He (Lord Chelmsford) had a copy of the letter of Dr. Beke, addressed to one of Consul Cameron's relations, from which he would read the following passage:—

> "In answer to your inquiry of the 19th instant, as to whether it is true that I offered to go to Abyssinia with a view to the liberation of Captain Cameron and the other British captives in that country, I beg leave to say that I wrote to Earl Russell offering my services for that purpose on the 18th of March, 1864, and that I repeated my offer on the 18th of May, 1864, and that I renewed it on the 13th of February, 1865. Had my offer been accepted, I have not the slightest doubt I should have been successful."

Whether the writer was rather sanguine in his expectations or whether he was exactly the person that should have been selected for the mission, he (Lord Chelmsford) would not offer any opinion; but this he knew, that a very distinguished officer who had before been employed in diplomatic missions, was quite ready to undertake the duty, Sir William Coghlan, from whom a letter had been received, in which he stated—

> "It is a mistake to say that I objected to be named in connection with the Abyssinian difficulty; on the contrary, I am ready at the shortest notice to make any effort which Her Majesty's Government may be pleased to call on me for to-

wards its solution; and I may add that my readiness is known to Her Majesty's Government, and to many persons with whom I have discussed the question."

But instead of Sir William Coghlan, who was an Englishman, the person who unfortunately was chosen by the Foreign Office was Mr. Rassam, who was believed to be an Armenian. He had been of great assistance to Mr. Layard in his excavations at Ninevah; he was the assistant to the Political Resident at Aden, and no doubt a man of great ability, and one who might have been well intrusted with any other mission than this; but the fact of his being an Asiatic, and not a European, was entirely against any hope of success. The result proved the truth of what he (Lord Chelmsford) stated. Mr. Rassam arrived at Massowah in August last, intrusted with a letter under the Sign Manual of the Queen. He announced his arrival, but the Sovereign refused to receive the letter. Mr. Rassam remained at Massowah from August to November; and when two Abyssinians were sent down from Gondar for the purpose of ascertaining what sort of mission had been sent out, they found Mr. Rassam alone and without attendants, for the medical gentleman who accompanied him happened to be absent. These envoys returned to Gondar and reported "the nakedness of the land" and up to this moment Mr. Rassam remained without a chance of having an audience with the Emperor, or an opportunity of delivering the letter. The noble Earl, on a former occasion, said —

"Some persons thought that if a magnificent mission were sent out with a number of presents the prisoners might be liberated, but the obvious inference would be that the way to obtain respect and consideration from this country would be to imprison one of our Consuls."

Now, he had never asked the noble Earl to send out a magnificent mission; but he did suggest that, under the circumstances in which this country was placed, it was absolutely necessary to take care that a proper and respectable mission should be sent out, having at its head an Englishman of some station, and that presents ought to be sent. Now, he understood that the Foreign Office had at last become convinced of the necessity of approaching the King with presents, for, as he was informed, 500 stands of arms had been sent to be presented to the Sovereign of Abyssinia, either to accompany the delivery of the letter intrusted to Mr. Rassam or some other letter sent by some other person. He thought he was entitled to ask, if it was improper to send presents to the King before, how did it become proper to send these 500 stands of arms now? And if it was proper to send presents now, why were they not sent before? Mr. Rassam had up to this time not been allowed access to the Abyssinian Court; and the miseries suffered by the prisoners were attributable, first to the carelessness of the Foreign Office, and next to their want of judgment. The noble Lord might say, what would you have us do? Would you have us use force against the Emperor of Abyssinia? The noble Lord on a former occasion said the Government had never thought it advisable to use or threaten force, and the King was informed that if the captives were liberated no reparation would be required. They were accustomed to the diplomatic language of the noble Lord, but he should have thought that this looked something like a threat because "if the captives were liberated no reparation would be required," seemed to imply that if they were not liberated reparation would be required. He thought they were placed in a painful and humiliating position. What must be the feelings of the Emperor of Abyssinia towards this country when he found that he could with impunity imprison and torture British subjects, and without any intervention on the part of the Government? The noble Lord had contrived to lower the country in the eyes of Europe and America, and he was now doing his best to degrade us in Africa. He asked the House if he had not made out a case which demanded that these papers should be produced. The noble and learned Lord then *Moved*—

"That an humble Address be presented to Her Majesty for, Copies of Letters and Papers relating to the Imprisonment of British Subjects in Abyssinia—namely—

"1. Copy of Instructions to Captain Cameron, British Consul at Massowah, upon his proceeding to his Consulate; and a List of the Presents which he was ordered to deliver to The King of Abyssinia:

"2. Copy of Letter written by Captain Cameron on or about October or November, 1862, on the Subject of a proposed Embassy from The King of Abyssinia, with the Reply (if any) to such Letter:

"3. Copy of Autograph Letter of The King of Abyssinia to Her Majesty the Queen, and Statement of the Time when such Letter was received at the Foreign Office:

"4. Copy of Report made by Captain Cameron from Bogos on or about March, 1863, and of the

Orders in consequence of such Report sent to him by the Consul General in Egypt or from the Foreign Office:

"5. Copy of Letter ordering Captain Cameron to return to his Consulate at Massowah, which Letter arrived at Gondar about November, 1863:

"6. The Date of any Letter under Her Majesty's Sign Manual addressed to The King of Abyssinia in acknowledgment of His Autograph Letter, and the Name and Nation of the Person employed to deliver the same:

"7. Account of the Presents sent to the King of Abyssinia to accompany the Delivery of such Letter:

"8. Copies of all Letters sent to the Foreign Office containing Offers of Assistance to obtain the Liberation of the British Subjects imprisoned in Abyssinia."

EARL RUSSELL said, that when the noble and learned Lord rose, he felt a good deal of curiosity to know whether his object was to throw blame on the Foreign Secretary and Foreign Office, or to be of use to the unfortunate persons who were imprisoned and still detained by the King of Abyssinia. He had come to the conclusion, looking to the tenor of his speech, that the first was the object of the noble and learned Lord. He had repeated over and over again that he had to find fault with the carelessness and want of judgment of the Foreign Office; but with regard to these unhappy prisoners and the means of relieving them from their imprisonment, he had heard very little from the noble and learned Lord—certainly the noble and learned Lord had not pointed out any step that could be taken usefully for that purpose. Every person acquainted with these countries—every person who had been in Abyssinia—whom he had seen, had assured him that any information that was produced here, reached the Emperor of Abyssinia, and if there was anything in it tending to throw blame on that Sovereign, he was sure to visit it by increased restrictions and severities on the prisoners. He, therefore, held that if any increased restrictions and severities were imposed, the noble and learned Lord was responsible for having aggravated their situation. The noble and learned Lord had given a history of these transactions, from which he (Earl Russell) differed very little. He did not see the faults committed by the Foreign Office in this very difficult matter. The noble and learned Lord had stated that there were formerly sovereigns in Abyssinia who assumed to be descended from Solomon and the Queen of Sheba; but they had but a nominal power—they were only what the French called Mayors of the Palace—but the present Emperor Theodore, a successful soldier, had obtained the crown. The British officer who was Consul, had assisted the King in his civil wars; he was wounded and died of his wounds. The King went against the rebels, and a great number of them who surrendered were refused quarter. He (Earl Russell) confessed that when he heard of the death of the Consul, and it became his duty to communicate it to Her Majesty, it did not appear to him to be expedient that Consuls sent by the British Government to Abyssinia should take part either in civil wars or in external hostilities waged by the Sovereign of that country against Egypt or any Turkish province. Captain Cameron, a distinguished officer, who had served under Sir Fenwick Williams, of Kars, was then sent as British Consul to Massowah, and he was received in a very courteous manner by the King of Abyssinia. In October, 1862, he was intrusted with a letter from the King for transmission to this country, stating that he was desirous of sending an embassy to this country. The noble and learned Lord said there had been carelessness in the way that letter was treated; but it was perfectly well known that the object of the King of Abyssinia was to obtain the assistance of France and England against the Viceroy of Egypt in regard to some territory which he thought was wrongfully withheld from him, and it occurred to him that it was better that the British Government should not interfere with those disputes, but should rather leave them alone; and he did not know whether he would be reproved by the noble and learned Lord for entertaining that opinion. He confessed that that letter ought to have been answered earlier; but he did not believe that that had anything to do with the imprisonment of Consul Cameron, or that it was connected, or connected in more than the slightest manner, with the subsequent acts of the King. His letter proposed to send an embassy to England. When the King of Abyssinia sent a message to the Emperor of the French, it appeared that he was afterwards very angry about the treatment he had received. That certainly showed that the Sovereign of Abyssinia was ready to make complaints when he did not receive the treatment which he thought due to his dignity; complaint was also made of the language used by M. Drouyn de Lhuys. It therefore seemed there was great danger that the King of Abyssinia might take offence at any proceeding which he deemed not quite consistent with his dignity. The business of Consul Cameron was not to be a resident at the Court of King Theodore, or in any way to become a partizan in any wars or dispute, in which he might be engaged. His business was to return to Massowah and remain there as Consul. Instead of that he went away at one time, and went to the Court at Gondar. Consul Cameron, he conceived, was greatly in fault in going to the Court of Gondar. Mr. Stern, the missionary, had written in his paper reflections very injurious to the character of the King. That gentleman had been so ill-treated that his life was for some time in danger; and it was, perhaps, hardly to have been expected that the British Consul should altogether escape. For some reason or other, which he was unable to fathom, Consul Cameron was put in chains and confined with some other persons in prison. When that intelligence reached this country everybody at the Foreign Office was exceedingly anxious that proper means should be devised to obtain his liberation. Any person might run as much risk as Mr. Stern if sent to the Court of Abyssinia. Sir William Coghlan, a very experienced officer, was the person to whom the Foreign Office immediately had recourse to learn what was best to be done. As he understood the opinion of Sir William Coghlan, it was that it was desirable that in the mission to Abyssinia—a mission of considerable importance—some officer of the army or navy and some scientific person should be attached to it, but that it was not advisable that that mission should be sent until the captives had been released. Although Sir William was ready to go himself at that time, still that was his decided opinion. Therefore Mr. Rassam went—a person who, though not a native-born Englishman, held the office of Assistant to the British Resident at Aden, and was, therefore, the second officer of the Government in that important dependency, and intrusted with the confidence of the resident and everybody else there. At a later time it was suggested that some military or naval officer would be treated with more respect; and he had therefore desired through the India Office that the resident at Aden should send a military officer to Massowah, and such an officer had been sent. The noble and learned Lord observed that if it was desirable that the King's letter should be answered and presents sent, it should have been long before. That was a very easy thing to say; but the fact was, they certainly could not have foreseen that the Sovereign of Abyssinia would put their Consul in prison without any justification whatever. Were they to expect always that the Sovereign of an Eastern country would cast into prison the person whom they sent with a letter from Her Majesty? It should be remembered that Consul Cameron was intrusted with a letter, not proposing anything, but answering a communication which had been received, and when the Consul delivered that letter the transaction ought to have been at an end. Mr. Rassam had frequently written from Massowah, and he displayed good judgment and temper. He had sent more than one person to Gondar, and the answer always was, that the King was engaged in an expedition against the rebels, and it would be a long time before he returned to his capital. Very lately a person who represented himself to be, and who was believed to be, brother to the steward of the King of Abyssinia arrived at Massowah, and he stated that the imprisonment of the Consul was then very greatly alleviated. He should hope that when the Sovereign of Abyssinia returned to his capital, and became aware that Mr. Rassam, and an officer in Her Majesty's army were waiting with letters, he would receive those gentlemen. As for the papers moved for, he did not think that any one particular paper was likely to be a cause of aggravation; but the publication of the whole of them, accompanied, as it would be, by comments in this country unfavourable, no doubt, to the conduct of the Sovereign of Abyssinia, would probably cause these unfortunate prisoners to be treated with greater severity.

On Question? Their Lorships divided.

Earl GRANVILLE (who spoke from his place sitting, and covered) took notice that a noble Baron, Lord Ravensworth, was not in the House when the Question was put, and he therefore moved that the noble Baron's vote be disallowed.

The Earl of DERBY said, he thought that was an objection which hardly ought to be pressed, but he would give the noble Earl the advantage of it. On the other hand, he would draw attention to another irregularity. A noble Peer (Lord Colchester) informed him that the Tellers left the Bar before he passed into the House, and that he followed them complaining that his vote had not been taken. He understood, also, that the Question was put before the Bar was ordered to be cleared, so that there was no time for a Peer who happened to be momentarily out of the House to return and hear the Question put, and it was in this way that his noble Friend (Lord Ravensworth) was prevented from hearing the putting of the Question. Under these circumstances he suggested that the proper course to pursue was to pass over the division which had just taken place and call for a fresh division.

THE EARL OF BESSBOROUGH said, the Tellers waited for a moment or two, and if the noble Lord (Lord Colchester) chose to remain behind it was not their duty to remain.

EARL GRANVILLE said, he would not trouble their Lordships to divide on the Motion of the noble Earl opposite.

Then, on Motion, it was resolved that the vote of Lord Colchester be received. The Numbers were then declared to be — Contents 43; Not-Contents 42: Majority 1.

CONTENTS.

Richmond, D.

Exeter, M.
Tweeddale, M.
Westmeath, M.

Amherst, E.
Bandon, E.
Bantry, E.
Belmore, E.
Cadogan, E.
Derby, E.
Graham, E. (*D. Montrose.*)
Hardwicke, E.
Mayo, E.
Nelson, E.
Pomfret, E.
Shrewsbury, E.

Hawarden, V. [*Teller.*]
Hutchinson, V. (*E. Donoughmore.*)
Melville, V.
Strathallan, V.

Blantyre, L.
Blayney, L.
Bolton L.
Castlemaine, L.
Chelmsford, L.
Colchester, L.
Colville of Culross, L. [*Teller.*]
Delamere, L.
Denman, L.
Dunsany, L.
Feversham, L.
Grinstead, L. (*E. Enniskillen.*)
Heytesbury, L.
Monson, L.
Moore, L. (*M. Drogheda.*)
Polwarth, L.
Raglan, L.
Redesdale, L.
Rollo, L.
Strathspey, L. (*E. Seafield.*)
Tredegar, L.
Walsingham, L.
Wynford, L.

NOT-CONTENTS.

Westbury, L. (*L. Chancellor.*)

Cleveland, D.
Saint Albans, D.
Somerset, D.

Normanby, M.

Caithness, E.
Chichester, E.
Clarendon, E.
Cottenham, E.
De Grey, E.
Ducie, E.
Granville, E.
Harrowby, E.
Russell, E.
Saint Germans, E.
Spencer, E.

Eversley, V.
Stratford de Redcliffe, V.
Sydney, V.
Torrington, V.

Durham, Bp.

Aveland, L.
Belper, L.
Camoys, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Cranworth, L.
Dartrey, L. (*L. Cremorne.*)
Foley, L. [*Teller.*]
Granard, L. (*E. Granard.*)
Leigh, L.
Methuen, L.
Oxenfoord, L. (*E. Stair.*)
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Rivers, L.
Seaton, L.
Sefton, L. (*E. Sefton.*)
Seymour, L. (*E. St. Maur.*)
Somerhill, L. (*M. Clanricarde.*)
Stanley of Alderley, L.
Truro, L.
Wenlock, L.
Wentworth, L.

House adjourned at a quarter past Eight o'clock, to Friday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 23, 1865.

MINUTES.] — SELECT COMMITTEE — On Leeds Court of Bankruptcy *appointed; (List of Committee.)* On Shannon River, Sir William Jolliffe, Mr. Hunt, Mr. Cave, Mr. Acland, Mr. Hennessy *added.*

PUBLIC BILLS — *Resolutions in Committee*—Pier and Harbour Orders Confirmation (No. 2).*

Ordered — Certificates of Marriage, &c. Duties Repeal *; Pier and Harbour Orders Confirmation (No. 2).*

Committee—Roman Catholic Oath [86] *further adjourned.*

ALLEGED MURDER IN EPPING FOREST.

OBSERVATIONS.

SIR GEORGE GREY: With reference to the Question put last night by the hon. Gentleman the Member for Worcestershire (Mr. Lygon), as to the truth of a statement said to be contained in various newspapers, that a failure of justice had taken place in a recent case of alleged murder in Epping Forest in consequence of the Advisers of the Crown having neglected to appoint certain forest officers, who alone could have arrested the person charged, I have to state, that, having inquired into the facts, I find there is not the slightest foundation for that statement. The person referred to, a lad of the age of fifteen, was charged with the offence of shooting a boy. He was immediately arrested by the police, there being no difficulty in the way of the arrest. He was tried before Mr. Justice Willes, and was acquitted on the merits, the defence being that the gun had gone off by accident.

HER MAJESTY'S BIRTHDAY.

Motion made, and Question proposed, "That the House at its rising adjourn until Thursday."

ROMAN CATHOLIC OATH BILL.

QUESTION.

MR. WALDEGRAVE-LESLIE said, he wished to ask a Question relative to the Roman Catholic Oath Bill, which stood on the Orders for to-night. He was not going to enter into the merits of that Bill, but every Member of the Government who had spoken on the subject had expressed a strong opinion in favour of having one form of oath which should be taken by all Members of that House, and he wished to know, whether the Government had any intention of bringing in a Bill which would adopt one uniform oath to be taken by all the Queen's subjects. This question was one which ought to be dealt with by the Government, and not left to a private Member like the right hon. Member for Limerick (Mr. Monsell), for whose Bill, though he sympathized with him very much, he could not vote. As in the old days the defences of this country were committed to the Government of the Sovereign, so, in regard to these oaths, which were meant to be a protection to the Sovereign and her Throne, it was the duty of the Government, and no one else, to take up any measure which might be necessary. He trusted, therefore, that the Government, seeing the feeling of the House so strong on the subject, would not delay in bringing forward some measure which would give relief to all Her Majesty's subjects.

SIR GEORGE GREY: This Question ought rather to have been addressed to my right hon. Friend the Member for Limerick (Mr. Monsell) as to the course which he intends to pursue. My right hon. Friend has brought in a Bill the effect of which, if adopted by this House, will be that one uniform oath will be taken by all Members of this House, subject only to the difference which exists in the present oath as to the Papal jurisdiction, the Protestant being called on to deny the spiritual jurisdiction, and the Roman Catholic being exempted from that denial. The House have by a large majority affirmed the principle of that Bill, and I am not prepared to stand in the way of the progress of the Bill of my right hon. Friend. I think it most desirable that one form of oath should be taken, and, in my opinion, the wise and rational course would be to require that that oath should be an oath of allegiance to Her Majesty. I do not say that there might not be some addition to the terms in which the oath of allegiance is now expressed; but that is an oath which every one would willingly and loyally take, and it is the only oath I think which we ought to require. I do not, however, understand that all the hon. Gentlemen who say that one uniform oath ought to be taken are prepared to admit that it should be merely one of allegiance to Her Majesty; my hon. Friend who has just spoken himself says that he cannot vote in favour of this Bill. But if it is meant that the Government is to introduce a Bill which would retain, and not only retain for Roman Catholics, but impose on Protestant Members of this House parts of the oath which are now taken by Roman Catholics, I cannot hold out any hope that we shall do this. From the language used in different parts of the House I really hope that we shall be able to arrive at some satisfactory settlement of the question; at the same time I am not disposed to advise my right hon. Friend to give up the advantage he has gained and to abandon his Bill for the sake of another Bill being brought in. If his Bill is passed, as I hope it may, a most important step will be taken in the direction of having one uniform oath. We shall only then have to strike out the words I have referred to from the Protestant oath—words which in the mouths of Protestants have no meaning—and the oath will become uniform. I am prepared to leave the subject in the hands of my right hon. Friend, and if he wishes to proceed with his Bill the Government will give him their cordial support.

MR. MONSELL said, he was not in the House last night when the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) put a question to the Government in reference to this Bill, nor had he received any notice from the right hon. Gentleman, though he did not complain of any discourtesy. The right hon. Gentleman suggested that the Bill should not be proceeded with this evening, but should be postponed until a morning sitting on Tuesday next. That course involved some delay, but, on the other hand, the right hon. Gentleman had stated that if that course were adopted some arrangement might be arrived at which would be acceptable to both sides of the House. After the discussion which had taken place it must be obvious that no arrangement would be satisfactory to the House which did not do one of two things—either carry out the Bill which he had introduced into the House, or else adopt one simple oath of allegiance which all Members of the House indifferently could take. He therefore understood the right hon. Gentleman, when he said that some arrangement might be come to which would be satisfactory to both sides, to be of opinion that one of those two courses must be followed. Under these circumstances he would postpone his Bill until Tuesday at twelve o'clock, and he trusted to the kindness and good feeling of the House not to waste time in preliminary discussions, but at once to proceed in Committee to discuss the terms of the oath.

Mr. M'MAHON said, he thought it would be better before postponing the Bill to have an intimation from the right hon. Member for Buckinghamshire that the anticipations of the right hon. Gentleman opposite were well founded, because, if the right hon. Member for Buckinghamshire came down with one uniform oath, and inserted words in it for the protection of the Established Church in England and Ireland, that oath would not be agreed to. He hoped, therefore, that the right hon. Gentleman would give a clear, perspicuous, and unambiguous expression of opinion as to the sort of oath which he meant to propose.

Mr. DISRAELI: It is extremely inconvenient to discuss the important question of Roman Catholic oaths in this desultory way, *à propos* of a question put by an hon. Gentleman opposite, and I really must decline to enter into any discussion of the subject. I principally rose to assure the right hon. Member for Limerick (Mr. Monsell) that it was from no feeling of discourtesy to him that I made last night the suggestion which occurred to me as the most expedient course to take. I had consulted with several gentlemen who take different views on the subject, and they all agreed that it was important, if possible, that we should obtain a morning sitting from the Government. With regard to myself, as I have not before had the opportunity, I shall, before we go into Committee on Tuesday, express my views upon the general question, and indicate what I think will be the best and most convenient course for the House to pursue.

ARMY—CASE OF LIEUTENANT COLONEL DAWKINS.—QUESTION.

Mr. DARBY GRIFFITH said, he wished to ask the noble Lord at the head of the Government, Whether he had taken into his favourable consideration the division of yesterday? His own experience in the House, no doubt, would have shown the noble Lord that had the division been taken on the merits of the case the majority would have been on the other side. Under the circumstances the noble Lord must see that the feeling of the House was in favour of delay, and he hoped, therefore, that the noble Lord's well-known urbanity and skill in throwing oil on the troubled waters of dissension would lead him to promise that further consideration should be given to this case.

Viscount PALMERSTON: The only answer I can give to the hon. Member is that it appears to me it would be totally and fatally subversive of the discipline of the army if the Commander-in-Chief were not to be allowed to use his discretion as to who should and who should not be considered fit to command a regiment in the service. That principle being admitted—indeed, I think it incontrovertible—it has not been the duty of the Government to take any step in consequences of the discussion of yesterday. As for the division, I do not think the hon. Member has much to congratulate himself on in respect to it.

LEEDS COURT OF BANKRUPTCY AND THE HON. R. BETHELL.

OBSERVATIONS.

Viscount PALMERSTON: I may state with regard to a Motion of which the hon. Member for Devonport (Mr. Ferrand) has given notice for this evening that I am authorized by the Lord Chancellor to say that he courts inquiry into the matter to which that Motion refers. I may, therefore, observe that the Motion of the hon. Member for a Select Committee will not be opposed by Her Majesty's Government.

Motion *agreed to.* House at rising to adjourn till *Thursday.*

ROMAN CATHOLIC OATH BILL.

Adjourned Debate on going into Committee [19th May] *further adjourned* till *Tuesday* next, at Twelve of the Clock.

PAPER TRADE.—RESOLUTION.

Mr. MAGUIRE, in moving a Resolution on the subject of the abolition of the unjust duty on foreign paper, said, he was about to ask the House and the Government to do an act of common justice, and before doing so, it would be his duty to place before them a case of as grievous hardship as, he believed, had at any time occupied the attention of the Parliament. In private life if one individual wronged another he was bound by every law of gentlemanly feeling, as well as by justice and morality, to repair to the best of his power the wrong he had done. He did not think that a Government or Parliament should be guided by different rules. He thought he would be able to show that in 1860 a step attended with most disastrous results to one of the most important and interesting trades of the United Kingdom had been taken by the Government and the Parliament of this country. He believed he could adduce the most incontrovertible proofs that Parliament had inflicted a great hardship on the British manufacturers of paper, and had acted towards them in distinct contravention of that very principle of free trade to which they proposed to give effect. One of the most important features in the Budget of that year was the proposal with respect to the Excise duty on paper. Wisely, the Chancellor of the Exchequer abolished that duty; but, at the same time, in the face of urgent remonstrances from the trade and of Motions in which his attention was directed to the injury which such a measure would inflict on the trade, the right hon. Gentleman repealed the differential Customs' duty on paper. The whole injury to the trade arose from that most rash, unwise, and blundering proceeding. The right hon. Gentleman was reminded that the penny duty had been arranged under a free trade Government; and that it had been imposed as an equivalent to the tax which foreign Governments continued to impose on the export of rags for the advantage of the foreign papermakers. The weight of raw material used annually by the paper manufacturers of the United Kingdom was 200,000 tons, and of that as much as 140,000 tons were rags. The weight of rags produced in this country was about 120,000 tons; it was necessary that the trade should supplement their supply of rags by going abroad for some, and there was an export tax imposed on that, say 10,000 tons, which they brought from the Continent. As long as the tax upon rags continued it was utterly impossible for the English paper manufacturer to compete with the foreigner. Of what use were energy, invention, capital, and perseverance when the rival manufacturer had an advantage of 20 per cent on the raw material? When the free traders were endeavouring to accomplish the repeal of the Corn Laws they argued that of itself the tax of £1 per quarter upon the 1,000,000 quarters imported was not the evil they complained of, but the real grievance was that by means of that tax the price of the whole 60,000,000 quarters grown in this country was correspondingly raised; so that, instead of there being a tax of £1,000,000, there was a tax of £60,000,000 upon the people's food. That was the cry raised by Mr. Cobden and Sir Robert Peel at Birmingham, Leeds, and other places. For his own part, he wished it to be known that while he was a free trader he was also a fair trader. Let him apply the old free traders' argument to the paper trade. The injury to the pape trade of this country was not to be measured by the amount paid by the manufacturer upon the 10,000 tons of foreign rags imported, but by the fact that in consequence of that tax the price of rags throughout this country was raised to the price of foreign rags. The price of rags throughout the British dominions was 20, 30, or even 50 per cent above that of the Belgian and Prussian markets. What was the reason that the interest of the British paper manufacturer had been disregarded when the French Treaty was made? It was through the great desire of the Government at that time to throw themselves at the feet of the French people. No doubt the French Treaty was most admirable as far as it went, and would lead to the best results; but the interests of the British paper manufacturer were altogether forgotten at a time when Government had the power to improve their condition most materially. But the Government abandoned their opportunity; they surrendered their power, and left the English manufacturer from that day to this at the mercy of foreign Governments and of foreign manufacturers. There were many Gentlemen present who professed to admire the principles of free trade—he could mention their names, but he had no desire to be invidious—who expressed great sympathy with the English papermakers, who voted for them in July, 1860, and who promised them their support at the time of the making of the French Treaty, but the matter was then made a Cabinet question, and the trade was sacrificed to the interests of a party. Again, there were many good men who voted against the papermakers in the belief that the doleful anticipations of the English makers were without foundation ; but four terrible years had since passed, and every anticipation of disaster had been fulfilled. In 1861 the Government consented that an inquiry should take place into the causes of the complaints which came from all parts of the country. A Committee was appointed, consisting of Members from both sides of the House, most fairly selected, and, after serious consideration, they came to the solemn conclusion that the position of the papermakers was deplorable, and that unless Government took their case up and persuaded foreign Governments to abolish the tax upon rags, the most disastrous consequences would result. No notice whatever was taken of that recommendation, and since that time matters had become worse and worse. The answer made to their repeated applications for relief was that they were doing splendidly ; that their exports and imports were rapidly increasing, and that therefore they could have no cause for complaint. But of what use was it for a man to make and sell twelve tons instead of ten tons per week of an article by which he realized no profit ? It was impossible for the manufacturer to reduce the price of the raw material he used ; all he could do was to increase the amount of his production, and thereby comparatively to reduce the amount of his fixed charges. It was to an effort of this sort that the wonderful impulse in the trade was owing. Out of the £8,000,000 worth of paper made in this country, only £500,000 worth, or one-sixteenth, was exported ; and this would scarcely be taken as a proof of the great prosperity of the trade. The other side of the picture showed that while in 1859, the foreigner sent only 700 tons of paper into this country, he now sent 12,000 tons per annum, while the value was raised during the same period from £35,000 to £600,000. Was there any further increase under that head ? It appeared from the official Returns of the Board of Trade that in the first quarter, ending the 31st of March, 1864, the importation of foreign paper amounted to 36,416 cwt., while in the corresponding quarter of 1865 it had been raised to 48,000, showing an increase of 32 per cent. On the other hand, the exports of British paper amounted in 1859 to 126,000 cwt., of the value of £525,000, while last year it amounted to 165,000 cwt. of the value of £556,000, showing an increase of 32 per cent in quantity and of only 5¾ per cent in value. Comparing the present year with the last, he found that for the first quarter of 1864 English paper was exported to the amount of 37,366 cwt., of the value of £120,000 ; while for the corresponding quarter of this year it was 37,318 cwt., of the value of £117,000. In 1859 the quantity of foreign paper exported from Great Britain was 5,000 and odd cwt. ; in 1864 it was 28,000 cwt., showing an increase of 476 per cent. Let not the hon. Gentleman imagine that he was complaining of the quantity of paper which came into England. What he complained of was that the British trader was unable to meet the foreigner and to make a profit. That he was not able to do so was not his fault, but that of those who sacrificed a trade to the exigencies of a Government. The grand point of the right hon. Gentleman by-and-by would be that there was an ample supply of new material. The principal new material was esparto, or Spanish grass, and of that only 40,000 tons were imported last year, which would produce only 15,000 tons of paper. The effect of the export duty upon rags had been to raise the price of esparto from £2 or £3 to £7 per ton. Now, as 2¼ tons of esparto were required for the manufacture of a ton of paper, the cost of the material required in the making of that quantity of paper was £15 15*s*., say in round numbers £16. But the Belgian manufacturer, who was protected by his Government, could get rags from which he could make paper to rival that manufactured from esparto for from £13 to £14 per ton. Perhaps, the right hon. Gentleman might say that the effect of the introduction of esparto had been to bring down the price of rags. That might be so ; but, however, the price of rags might be reduced, their cost in this country must always exceed their cost in Belgium by the amount of the duty which was laid upon the exportation from that country. If the price in this country was so greatly diminished that rags could be obtained more cheaply here than in Belgium, the American manufacturer would come into the market, and thus the price of British rags would be raised to the standard of the taxed article. Who had benefited by this Act of munificent liberality performed by the Government at the expense of other people? The trade had, it was admitted, given the whole amount of the Excise duty to the public; and the Chancellor of the Exchequer boasted that they had been also compelled to give up three farthings a pound, but that three farthings came out of the legitimate profits of the trade, whereas if the tax had been abolished, and the Government had the means of procuring its abolition, the consumer would have obtained the article at the same price, and the manufacturer would have been able to make a profit out of it. But who besides had got the advantage of the Chancellor of the Exchequer's liberality? The penny press. ["Hear, hear!" *and a laugh.*] He was glad that that advantage had been given to them. There was a laugh as if he had made a slip, but he had done nothing of the kind. If the Government had been commonly wise, that boon might have been given to the penny press without doing any injury to British manufacturers. Four newspapers, one of them a very large one, had, according to documents in his hands, gained to the extent of £100,000 from the liberality and care of the Chancellor of the Exchequer and the President of the Board of Trade. To one paper in London, £34,000 was given in the shape of remission of the Excise duty, and adding the three farthings which had been taken from the pockets of the British papermaker, amounting to £17,000, it appeared that that paper had gained by the policy of the Government £51,000 or £52,000 per annum, or about £200,000 since the change was made. Let him show to that press, influential and powerful as it was, and among which he found some of the most formidable clamourers against the trade, what would be the difference of the state of things which he was anxious to promote, and which the Government might have secured by other means. Suppose the proprietor of a London newspaper got half his paper from Belgium and half from a neighbour in England, he would not advance the interests of his neighbour at all, because the British trader must sell at the same price as the foreigner, or else walk out of the market. Let him show how this tax of three farthings in the pound operated upon the British manufacturer. In the case of a man who manufactured only ten tons a week it amounted to a tax of £3,640 a year. What was the policy that was laid down by Sir Robert Peel, Mr. Cobden, and the present Chancellor of the Exchequer? Mr. Cobden, quoting Sir Robert Peel, said—

> "Before you expose the manufacturers of this country to competition with those of other nations you should relieve them from any disadvantages in respect to their raw material, and in respect to the process of manufacture."

And the Chancellor of the Exchequer, in his speech on the sugar duties, said—

> "We are not willing to give any premium upon the employment of labour and capital in England, but certainly we are not willing to be parties to discouraging the employment of labour and capital in England as compared with other countries."

Now, he put it to the consciences of the Government themselves, and to the common sense of any of their supporters, whether they had not in regard to the paper trade imposed a penalty upon the industry of their own country and given an undue advantage to the foreigner? The effect of that was that the agents of foreign houses were to be found everywhere, and that, with the exception of some special articles, such as high class writing paper, account books, and envelopes, they could undersell the British manufacturer with regard to all kinds of paper. The Chancellor of the Exchequer drew a glowing picture of the seats of industry which would, after the repeal of the paper duty, spring up in the rural districts of England, Scotland, and Ireland, and of the companies which would spring up. Now, he challenged the President of the Board of Trade, who he knew had been making inquiries, to deny the truth of his statement when he asserted that all the companies which had been established under the auspices of the right hon. Gentleman, as the result of that glowing picture, had failed. One gentleman was, although he sat opposite to the right hon. Gentleman, so carried away by that picture that he put £10,000 into one of these concerns, and from that day to this he had not received one farthing of interest upon his money. From that day to the present not one farthing of interest on his £10,000 had that gentleman seen. But it was in the power of the Government to make that money fructify so as to produce a fair return if they had only the courage to give up their clap-trap with regard to the question, and to adopt the policy which he suggested. He could lay before the House the balance-sheets of various companies engaged in the paper trade to show that some had been obliged to stop business; that the business of others did not realize a single farthing, and that the prospect of being able to secure 2 per cent was the most cheering prospect to which more than one could look forward after a struggle of four years. He regretted to be obliged to trespass on the time of the House; but it was absolutely necessary that hon. Members should hear the voices of the sufferers themselves, and he should therefore read a few extracts from letters which he had received from England and Scotland—he was sorry to say from Ireland also, because in the case of the Irish manufacturer the calamity arising out of the course taken by the Government operated with peculiar severity. He had done, and would continue to do, his best to promote manufactures in Ireland, but the policy of the Chancellor of the Exchequer had led to the shutting up of mill after mill in that country, to the throwing of hundreds of people out of employment, and, in short, had rendered the paper trade there one desperate struggle against adversity. But let him lay before the House a few of the extracts to which he referred. The first was from the letter of an honest, industrious man, who said—

"I have had a correspondence with some and interviews with other paper manufacturers, and every one of them says that the entire ruin of the trade is only a mere question of time if the present system continues. It matter little what class of paper is manufactured; so long as things remain as they are paper manufacturers cannot make a profit. We are called Protectionists, but a more unjust accusation could not be made. . . For my own part, I have not gained 6*d.* profit for the last four years."

The next was a letter from Yorkshire, and the statement of the writer was—

"We are makers of coarse paper, and have about £10,000 invested in buildings and machinery. For twenty years, ending December, 1861, we were kept going on full time, with orders chiefly for the London market, at a moderate profit. Since then, however, we have been compelled to run half-time and reduce our prices from £2 to £3 per ton to meet Belgian and Dutch manufacturers; in other words, our profit has disappeared. We have good machinery and cheap coals, yet cannot compete with those who have their raw material protected by express duties. The wholesale stationers in the City know this; and we look with confidence to the Government taking prompt measures to put the trade in a fair and sound position."

Another communication was one from a gentleman who had written to him last year—a Kent manufacturer, who wrote as follows:—

"In my letter to you last autumn, an extract from which you read in the House of Commons, I stated I had stopped one of my mills for four months for general repairs and the introduction of several improvements, with a view to economize and increase out-turn; that after eight months' working my loss was £88, and that I determined to persevere for twelve months longer. This I have done, but regret to find a serious loss. I am compelled to stop the mill and discharge my hands. I cannot compete with that class of paper—namely, common printing—coming from abroad with a difference of 30 to 40 per cent in the rag material. I have used a proportion of esparto, to which there are many drawbacks, one being the pollution of the stream on which my mills are situated; therefore, without I obtain fair trade in rags, my mill is useless, and a property which should be worth £10,000 not worth as many hundreds."

The same writer, referring to the stoppage of a mill in Kent, another in Derbyshire, and a third in Westmoreland, said—

"Since I last wrote to you I have been compelled to stop one of my mills, having a mill full of paper, and no longer able to compete. There is another and a much larger mill than mine that has had to do the same. Mr. —— (Westmoreland) has a two-machine mill which has been standing for fully a month. The mill of Messrs. —— (Derbyshire), a two-machine mill, has had one of its machines stopped for some time."

The next case was one which involved the complete sacrifice of a property of £25,000, in the letter referring to which the writer stated—

"I have been engaged as a paper manufacturer for forty years. I embarked the whole of my property in the business, and by great exertions I succeeded in purchasing the mill, from which I got a moderate living, enabling me to bring up a large family respectably. Previous to the late Excise duty being taken off we were then being subjected to competition with the foreigners, and the only way to meet that competition was by erecting new and improved machinery; this cost me £5,000. Mr. Gladstone then admitted foreign paper duty free, without stipulating that the foreigner should take the duty off their rags, and the consequence was that my business was ruined. I have expended £25,000 on my mill, and now can neither work it, nor let it, nor sell it; and, although it is not bringing me in any money, I am called on to pay rates, or have my goods seized. My property is, in a manner, confiscated by the Government. I found it a hopeless contest, and was obliged to close my mill two years and a half ago. It has made a sad change in the neighbourhood, and more especially to myself, since I find that after forty years of most arduous attention to business my capital and all my earnings are sacrificed."

Then followed a few lines from Lancashire, the seat of free trade:—

"We sent you a statement of our concern on the 14th of July last, 1864, which you mentioned in your speech. We have ever since been struggling hard in turning out more paper, and making every alteration we could possibly think of, and must say that we see no further chance of our trade becoming a really good and beneficial one; and, unless through your strenuous efforts, or some other cause, we get put on a fair and equitable footing, we shall certainly be forced to give up this detestable paper making, and try something else, before our capital and energies are thoroughly worn out."

He would now ask the House to listen to a voice from Scotland, and it was that of an enterprizing manufacturer in the county of Fife, who said —

"The effect of these measures—miscalled free trade—is simply to approve of a heavy foreign tax being levied on all paper made in Great Britain; which tax is applied for the benefit and protection of the foreign paper maker, whose paper is expressly freed from this duty. It is needless to say that the pressure of so unequal and unjust a system of taxation has been disastrous to those who, like ourselves, had the greater part of their capital invested in paper mills and machinery. For ourselves, we can truly declare that ever since that evening when the Chancellor of the Exchequer announced his plan of restoring prosperity to the rural paper mills we have found our trade regularly getting worse, and last year we had a positive loss. We are at our wits'-end to know what to do with our mills; and this change is the more striking, too, seeing that for about half a century previously these mills had been carried on profitably. If we were to shut them down we should still be liable in heavy rent and taxes, while this would then throw out of employment 210 hands. We never believed these measures would have been persisted in so long by an enlightened Legislature, and still feel quite assured that if we could get these high fiscal duties abolished on our raw material we could compete successfully with any foreign rival. Let both foreign and British paper be either equally free or equalled taxed, and we do not fear the result."

Again, there was another writer from Scotland, whose letter furnished evidence of a very bad case. His statement was—

"I have been actively engaged in paper-making for nearly forty years, and have experienced both brisk and dull times, but have never had such a battle to contend with as that which I have had to fight since October, 1861. Since that date I have not to complain of dull trade, far from it, so long as I offer at the same price as the foreigner, who, by artificial means, can buy his rags £4 or £5 cheaper than I can, and against whom it is impossible to compete with the most remote chance of success, seeing his advantage is so great over me in the cost of his rags. So far from things adjusting themselves, my experience is quite the reverse. Since 1861 each balance-sheet has shown a greater loss than the former; and now that my capital has nearly disappeared I shall be obliged to succumb, unless something be done for our trade by the Government, from whom alone redress can come."

The next case, however, was, in his opinion, the worst of all. It also occurred in Scotland, but he would not mention the name of the gentleman who brought it under his notice, because he might thus be doing injury to his credit. If, at the same time, there was any doubt as to the truth of the statement or the character of the person by whom it was supplied, he should have no objection to lay the letter containing it before the Chancellor of the Exchequer. The writer said—

"We have been asked to send you, under confidence, what our experience has been as to the result of the foreign treaty, as far as papermakers are concerned. I now, in the name of my partners, reply, that the year previous to the treaty we showed a profit of about £2,000, and that last year, after watching so long for the 'fine days' that Mr. Gladstone said were coming to us, we had the mortification to find, on closing our books, that we had, instead of being gainers by the treaty, been losers to the amount of nearly £2,000. This sort of thing has been going on among the papermakers ever since the treaty came into operation. It is a question of time, no doubt; but as surely as the sun rises, so surely will the papermakers of this country decay and be swept off by the protection given to foreigners, by that most consistent of all—["Hear, hear!" *and a laugh.*] Had it not been that I and my partners have other sources of income, we should have been by this time in the bankrupt list; so no thanks to the Chancellor and his friends that we are not in that unpleasant position."

He had now done with England and Scotland. The next letter was from Belfast, written by Mr. Archer, a man of large means, who stated that he was obliged to close his mills in consequence of the operation of the present system, finding it quite impossible to compete with foreign makers who bought rags at a rate made low by their heavy export duty. The Dunadry mills, but a few miles from those of Mr. Archer, were also silent. There was another and very important mill owned by a gentleman who once paid a fifth of the whole Excise duties in Ireland and gave employment to 300 persons. Fortunately for himself, Mr. Greer was a man of property, and his wife also enjoyed a separate income; but as far as the means of livelihood of these 300 persons was concerned they had been destroyed by the action of the Government. Mr. Greer, writing on the 10th instant, said —

"Since I wrote you upon the same subject last Session I have shut down my Dripsey paper mills, after having suffered a very heavy loss, indeed, in a hopeless competition with the foreign manufacturers. It is not necessary for me to enter upon the merits of this question, the simple fact being that now, after having given constant employment for thirty years to near 300 hands, and having spent large sums of money upon buildings and machinery, I am at length driven out of the market by the operation of the late mistaken legislation, by which the results of the industry of a large portion of my life have been sacrificed. My wife and I have done our utmost to alleviate the distress of our late workers, some of whom have emigrated to America; many have gone to Scotland, Mrs. Greer in every instance having paid their fare and otherwise supplied their wants. We hear frequent and good accounts of most of them. I enclose an address which my wife has lately sent to each of them, to encourage them on their way in their life struggle."

Prosperity and contentment had reigned at those mills even when prospects in other parts of the country were most dismal; but now, through the operation of measures for which the Government were responsible, the mills were closed and the late workers in them were scattered far and wide. Without wearying the House by reading other letters, he might state that he had received one from Mr. Routledge, two from other manufacturers who used esparto, and two from gentlemen who used straw. All these would be willing to avail themselves of the proposition which he was about to make to the Government. The right hon. Gentleman would, no doubt, repeat that it was only a part of the trade which was injured; but if he wanted to know how a barrister was getting on, would not the best person to ask be an attorney in good practice? And papermakers of experience on this side of the Channel concurred in the belief that 75 per cent of the trade were struggling in a hopeless contest; 15 per cent, probably, of the traders were above all risk of competition, being engaged in the manufacture of a special quality of paper; but day after day their position was getting worse, because they were jostled by others driven to manufacture in these higher branches to save themselves from utter ruin. 75 per cent of the trade were struggling, 50 per cent were in desperate difficulties, and 40 per cent were on the brink of ruin. If the Government continued insensible to the position of the trade, they would have at least the glory of deserving that statues should be erected to their honour in Belgium, in Holland, and in Prussia, though at home the prospect confined itself to ruined mills and scattered populations. The object of the proposal he was about to make was that the British manufacturer should be placed on the same level with the foreigner with regard to the raw material. This would not increase the price, as some supposed, but would enable him to lower it, at the same time that the press would be protected, and manufacturers would work at a profit. £60,000 was the amount of the tax, but it effected a trade of £700,000 a year. He proposed that when a ton of rags came into England with a foreign tax upon it the Government should hand those rags over to the manufacturer clear of the tax, not, however, charging the amount, so remitted upon the Consolidated Fund, but receiving it again from the manufacturers after a sufficient interval. The trade were quite willing that when the rags were manufactured the amount of the tax should be assessed upon the manufactured article, and so levied from them. He believed he was right in saying that the question of principle apart, the financial details of this arrangement could be worked out in a very few days. Under the present system Americans came in, and by purchasing in our market, were continually raising the price of English rags towards the amount of the taxed rags. The trade said, "Stop the export of rags from our ports, or put on a tax equivalent to the amount imposed by foreign Governments." The request was a very small one, extending to 2,000 tons of rags only, or about £10,000. It might be said that he was attempting to get in "the thin end of the wedge." He hoped that when the facts pointed so clearly all one way the House would not be misled by this miserable delusion, this wretched clap-trap, by which too many were at all times ready to be deceived. No injury would be done to America by his proposal, because the markets of Belgium would still be open; and what did we owe to America in this case? The Americans imposed a prohibitory duty of 30 per cent on British paper at the very time that they were carrying British rags away from this country. The result would be to equalize the price of rags, and the British manufacturers would be able to meet their competitors in any market in the world. Otherwise they must inevitably go to the wall. The time might come when the Lancashire men, who were now opposing this demand of the papermakers, would feel the shoe pinch them in the same way. Inevitably there would be an export duty on their raw material, and if when the resources of that great continent across the Atlantic were turned to the pursuits of peace and commerce, the attempt to produce their great staple manufacture as cheaply there as here were successful, the Lancashire manufacturers would most certainly come down and demand the interference of the Government to keep out the foreign article. His proposal was that the trade should not be sacrificed; that the Chancellor of the Exchequer should be put in a position to realize that glorious picture which he had drawn; and that England, Scotland, and Ireland should have the opportunity of developing an important industry. The Government had already established one or two precedents for what he suggested. In the matter of the Scheldt dues they had paid half a million to put the shipowners of this country on a level with those of a small country like Belgium, and they had given advantages to the sugar refiners and others. It was a delusion to go on expecting foreign Governments to relinquish the duties on rags, for in fact they decided not to do it. No trade, even if it were guided by the genius of the Treasury Bench, supported by the wealth of the Bank of England, and aided by the hundred hands of Briareus, could stand against this 25 per cent burden. Unless the Government would address themselves to the relief of the wrongs which they had deliberately imposed on this trade year after year the complaints would be more deplorable, until at last there would be but one cry of calamity from what was once a prosperous and thriving industry. The hon. Gentleman concluded with his Motion.

MR. HENNESSY seconded the Motion.

Motion made, and Question proposed,

"That the position in which the British Paper Trade has been placed by the abolition of the Import Duty on Foreign Paper, leaving the Foreign Export Duty on Rags in full operation, is one of great hardship to the British Manufacturer, and calls for prompt legislative interference, with the view of placing the Home Manufacturer on terms of fair and equitable competition with Continental Manufacturers."—(*Mr. Maguire.*)

MR. MILNER GIBSON: Sir, I am afraid I shall find it somewhat difficult to follow the hon. and learned Gentleman through his somewhat discursive speech on the position of the paper trade; but I am glad that, after depicting so eloquently the hardships under which he says the trade is suffering, he finished his speech by telling us what is the remedy. I do not, however, understand how that remedy would repair the wrong which he says has been done. He commenced his speech by saying that a great wrong had been committed when the House abolished the customs duty on foreign paper, but in the course of his observations he never proposed to re-enact that duty. Now, the whole case was before Parliament, when it deliberately confirmed the proposal of the executive Government to repeal the duty on foreign paper in conformity with the express stipulations of the French Treaty. If a wrong therefore was committed, it was not a wrong committed by the executive Government, but a deliberate proceeding of the Parliament of England at a time when the papermakers had a stronger case than at present—when there was an absolute prohibition upon the export of rags from France and other countries which had now been replaced by a somewhat moderate duty. When the excise duty on paper was abolished, to have retained the duty on foreign paper would have been totally inconsistent with the French Treaty. In the correspondence which took place about the French Treaty, I remember the British Government bound itself not to impose any duty for the protection of English manufactures as against articles of French production, and therefore to have retained the import duty on foreign paper would have been inconsistent with the spirit and meaning of that treaty. The spirit of the French Treaty, as announced in the Correspondence which was published at the time, was that the British Government should bind itself to impose no import duties on foreign productions for the purpose of protecting similar articles produced at home, but only for fiscal purposes. The customs duty on paper was therefore reduced to the same rate as the excise duty; and when the latter was abolished it would have been impossible to retain the former. You may, therefore, dismiss from your consideration the re-imposition of the duty, as it is not before you, and I do not see how it is possible for the House deliberately to entertain so grave a proposition as a departure from the distinct spirit of the French Treaty. But the hon. Gentleman makes a proposal by which he says the English manufacturer will be placed on a level with the foreigner without any protection. He proposes that the State is to pay to the importer of rags the export duty which he has paid on those rags in a foreign country. The importer having brought a lot of rags into this country is to send his Bill in to the Chancellor of the Exchequer for export duties—duties paid in foreign countries—and the Chancellor of the Exchequer is to recoup him for these duties. Then, in the course of a few weeks, the Chancellor of the Exchequer is to send his Bill in to the paper trade, and they are to pay him the sum he has advanced for them. The trade are to do in the end what otherwise they would have done at the beginning; but I cannot understand in what different position that would place the papermakers. The fact of a sum of money having been advanced by the Chancellor of the Exchequer would, as far as I see, make no difference except in saving to the trade the interest for a limited period on the money which has been advanced. The dealer in English rags will still know that foreign rags cannot be obtained at less than a certain price, plus the export duty, and he will therefore stand out, as it is said he does now, for the same price. I believe the papermakers have about 130,000 tons of rags free of duty, and that they have to pay upon 10,000 tons of rags a duty of £60,000; so that the whole of the difficulties and calamities sketched by the hon. Gentleman are caused to the paper trade by having to pay £60,000 on 10,000 tons of rags. The hon. Gentleman says the effect of his proposal would be so to lower the price of rags as to benefit the trade to the extent of £600,000 or £700,000. I very much doubt that proposition. I doubt whether a large quantity like 130,000 tons could be reduced in price to any great extent by operating on a limited supply of 10,000 tons, especially as that supply could not be indefinitely increased. It must really be a question of supply and demand. The supply of foreign rags is limited, and the English holders of rags when asked to take less than they had received before would say, "I know you cannot import an indefinite weight, because the foreign supply is limited." Unless the foreign supply could be kept up so as to replace the English rags it could not have the effect which the hon. Gentleman supposes. It is impossible to suppose that France and Belgium, which are papermaking countries, could keep up an indefinite supply of rags to England. But if the advance of £60,000 to the papermakers can save them £600,000 or £700,000, why call in the assistance of Parliament at all? Why cannot a great trade like the papermakers of this country raise the money themselves? Why should they hesitate to embark in so profitable a transaction? But if we are to enter upon a scheme of this kind let us have some understanding that the trade itself is unanimous upon the point. We are to pay £60,000 to the importer of foreign rags, and then we are to collect this £60,000 from the papermakers according to the amount of paper they make. Now, I have received a letter from a papermaker who, alluding to this scheme, says—

> "We beg leave to submit to you the very serious and unjust consequences that will arise to those papermakers who, like ourselves, use no rags, and nothing but raw fibres, if the proposal made to you by those of the trade who use rags largely be carried out. It is to levy some sort of excise duty, of about 10*s*. per ton, on all paper, to recoup the expense of the proposed import bounty on rags. We make thirty tons of paper weekly, and we should thus be mulcted in a yearly fine of £750, which would go into the profits of our rivals in trade, and thus give them a double advantage. We believe there are about 200 tons of paper made purely from raw fibres weekly. We cannot think you would assent to such an unfair and unequal proposal when its true nature is brought under your notice. The writer would be happy at any time to enter into any further explanations, either personally or by letter, should you feel it desirable to have them submitted to you."

Mr. MAGUIRE: Will the right hon. Gentleman give the name of the writer of the letter?

Mr. MILNER GIBSON: I will give the letter to the hon. and learned Member.

Mr. MAGUIRE: Has not the person written another letter explaining his former one?

Mr. MILNER GIBSON: The hon. and learned Gentleman is quite right. This second letter was written in reference to a plan to put an import duty on foreign paper, proposed by the hon. and learned Member, but which he has not stated to the House. This correspondent wrote to me that he had changed his mind, and that he should not so much mind paying 10*s*. per ton to make up the £60,000 provided there was an import duty put upon all foreign paper. He objected to pay his £750 a year in order to pay rag duty for those who import foreign rags pure and simple; but when he was told that a part of the plan was an import duty on foreign paper, then he said—

> "I do not mind if my paper, made from straw and esparto, is to be prevented from foreign competition. In that case I shall be recouped, and therefore I shall join in the plan."

The first letter I read applies to the plan as it is now before the House. The writer objected to the Chancellor of the Exchequer being recouped for his advances to pay the import duty on rags by a charge levied on all English manufactured paper, whether made of rags or of esparto or some other fibre; but when he heard of an import duty on foreign paper, he thought there would be something to counterbalance such an impost on the English manufacturers. Now, I do not deny that there may be sufferings in a portion of the trade, but when the hon. and learned Gentleman said he repeated the representations of great papermakers and others, it struck me that there was a marked deficiency of representations from consumers, and I think there would be considerable jealousy if any plan were introduced to enable papermakers to carry on their business under the arrangements of some Act of Parliament. Now there is another proposition of the hon. and learned Member, and that is that you are to put an export duty on British rags. Let me ask has the rag collector been consulted upon that point? I am prepared to contend that the rag collector is entitled to sell in the dearest market and buy in the cheapest, and that the hon. Member and his Friends have no right to deprive the rag collector from getting the best price he can for his industry. What sort of a position should we be put in if we were to put an export duty on rags? Have we not been asking from time to time that foreign countries should reduce their export duty on rags, and told them that it was for their own interest as well as for the general interests of the trade of the world that there should be no such duty? We have been preaching a doctrine as to the necessity of free trade in rags, yet we are now advised, when we have made some progress in that direction, to take the most retrograde and objectionable step of putting an export duty on our own rags. I believe the House of Commons will not consent to that proposal. It is a mistake to say nothing has been done. The Government have not been unmindful of the recommendation of the Committee to which reference has been made. The only real recommendation of that Committee was that Government should make an endeavour to influence foreign Governments to abolish the export duty on their rags. Government has acted on that suggestion. Let us see what has taken place in Europe! Russia has not done much in that direction, but she has done a little. Sweden, however, from a duty of 1*s*. 4*d*. per cwt. has abolished it altogether. Norway from 3*s*. 10*d*. a cwt. has abolished it altogether. Denmark at present has not made any reduction, but there is every reason to suppose she will do so. In the Zollverein, the duty, which was 9*s*. 2*d*. a cwt. in 1859 is to be reduced in July, 1865, to 5*s*. 1*d*. In Hamburg rags have always been free. In Holland the duty on rags has been reduced from 8*s*. 6*d*. to 4*s*. 3*d*. a cwt. since 1859. In Belgium there was a prohibition in 1859, whereas now there is a duty of 4*s*. 10½*d*. only. In France there was also a prohibition, and there is now a duty of 4*s*. 10½*d*., which is to be reduced year by year, until in the year 1869 it will arrive at the moderate duty of 1*s*. 7½*d*. per cwt. In Spain and Portugal there has been no change, but Naples and Sicily have made a considerable reduction—namely, from 13*s*. 2*d*. to 3*s*. 3*d*. Austria has not made any reduction, but there are hopes that she will do so as the question is under consideration. Turkey has reduced her duty from 10 per cent *ad valorem* to 5 per cent *ad valorem*. In fact, I may say, considering the difficulties that there are in the opposition of protected interests, that considerable progress has been made, and it is my firm conviction, knowing what the opinions of some of the leading men in Belgium and France are, that if the English papermakers had been more quiet, and had not kept up one general agitation about the rag question, which had roused the opposition of the papermakers abroad, it is far from improbable that we should have made greater progress than we have done. The hon. and learned Gentleman talked about the importance of the export of paper. He told us that the great paper making trade produced about £8,000,000 worth per year, and that the value of the imported paper is £500,000. The fact is that the value of foreign paper imported in 1864, less exports, was £453,447. Now I want to know whether the trade of £6,000,000 or £7,000,000 is to be laid prostrate by an import of that extent. But then the hon. and learned Gentleman has stated there is a considerable export of British made paper. I find that the value of the export of British made paper is £550,092, so that there is £100,000 worth more exported than imported. When we find that we have exported in value as much as we have imported, how can you lay prostrate this great interest? The hon. and learned Member says the British papermaker meets the foreign manufacturer in neutral markets, but he can only succeed in selling the highest qualities of paper in competition with the foreigner there. But that is just the description of paper in which there is the largest quantity of rags. I believe it is true that the paper in regard to which competition is most felt is precisely that in which the least quantity of rags is used. I quite admit that a very considerable portion of paper—writing and printing paper—has fallen more than the excise. The hon. and learned Gentleman says it has fallen ¾*d.* more than the excise, and that the cheap press has got the benefit of that. I entirely sympathize with him on that point, and am very glad that the cheap press has got the excise duty, and ¾*d.* into the bargain. That has been a great public benefit which has been conferred, and I am glad to hear from the hon. and learned Gentleman that in his plan he does not intend to take away that ¾*d.* I will now take the imports and exports in quantity. The Returns quoted by the hon. and learned Member were Returns of all kinds of paper, much of which formed no part of the question. What we have to deal with is rag made paper. There was a fair quantity of rags in the foreign paper imported for printing and writing. During three years that foreign paper amounted to 345,000 cwt., and I suppose that the whole make of paper must be 200,000,000 cwt. a year in England. The British paper exported during the same three years, ending 1864, amounted to 314,403 cwt.; so really what is the difference between one and the other? I find that the paper imported was only worth £2 11*s.* per cwt., while the English papermaker got for the paper he exported £3 11*s.*; so that there really was, in point of value, a greater amount of paper exported than there was imported, and as far as the quantity was concerned the exports of British paper and the imports of foreign paper were upon a par. The hon. and learned Gentleman said the great increase in the manufacture of paper in this country was quite consistent with the existence of great distress in the trade. The hon. and learned Gentleman said that the papermakers had improved their machinery and had made their plant produce a larger quantity of the manufactured article. Why, there cannot be a more wholesome result of competition. It appears to me that if there ever was an argument more suited than another to prove the wisdom of the policy that has been pursued it is the statement of the hon. and learned Gentleman, that, with the same plant and the same machinery, the effect of competition has been to produce a larger quantity of the manufactured article. Does the hon. and learned Gentleman want any plan which may enable the papermakers to obtain profit by producing less? Because it appears to me that that must be a plan not either conducive to the interest of the trade or those of the public. As the hon. and learned Gentleman has read letters, I shall take the liberty of reading a short extract from a letter of a very leading firm in London, which consumes a large quantity of paper, Messrs. Cassell, Petter, and Galpin. They say—

> “We consider that the outcry as to the adverse influence of the export duties levied on rags by foreign Governments proceeds from misapprehension of the state of the case. The facts of our own experience in reference to this question may be interesting and useful. Our firm are large consumers of paper of the very sorts concerning which the makers were most gloomy in their forebodings, and with regard to which they are most open to the competition of our Continental neighbours. The principle upon which we conduct our establishment is to buy in the cheapest market for cash, and we receive offers from all quarters for the supply of our staple material as printers and publishers, but foreigners and their agents here are unable to successfully compete with the English producer. With an average weekly consumption of about twenty-three tons of printing paper for our various publications, the proportion of foreign paper in this quantity is not more than one-sixteenth. It should not be lost sight of in the course of this controversy that esparto and other materials are fast superseding rags in the manufacture of a large proportion of the paper now produced. Even those papers which the foreigner has the best chance of disposing of in this market are made up, not of rags, but of ingredients not in any way affected by the question of duties. Machine and hand made writings, of which rags form the principal constituent, are produced by English makers without fear of competition; while the cheaper class of printings, concerning which they show the greatest timidity, are a description of article in which rags come to be a minor element. A large proportion of the paper used in the course of our trade contains no rags at all. . . . The consumption of paper in the business of our firm has nearly doubled since the repeal of the tax, and we venture to say that a smaller quantity of rags is used in the whole of our present supply than was consumed in the lesser supply which sufficed for our needs four or five years ago. The truth is, that a change is taking place in the trade in respect to both the means of production and the conditions under which it can be best carried on.’

This shows that we ought not precipitately to bind ourselves by any abstract Resolution to meddle with the paper trade of this country. A great change is taking place, I believe for the better; great improvements have already been adopted; and I think, if you were to interfere by any legislative support to an old system of manufacture, you would check invention, and you would be the means of throwing back that progress which I confidently believe is now going on, and which will end in placing the paper trade on a more safe and sure foundation than it has ever rested on before. I cannot believe that any man can seriously entertain the scheme proposed by the hon. Member. There is some plan of protection, rely upon it, in the background; and it would be, in my opinion, the greatest possible injustice to all other interests which have been subjected to free competition if we were to make an exception in favour of this manufacture. There is scarcely an argument used on behalf of the papermaker that I could not use, I believe with greater force, on behalf of the grower of wheat. I could show you that lands were cheaper, that labour was cheaper, and that local rates were less in some foreign countries from which wheat is allowed to be imported into this country than these things are in England; but Parliament did not listen to these statements of special burdens; it applied the principle of free competition to all the interests of the country, and I contend that we must adhere to the principle we have hitherto acted upon, and not make the paper trade an exception. If the hon. and learned Gentleman be serious in desiring this plan of recouping the merchant importer of rags for the import duties paid upon them in foreign countries, he should, instead of asking the House to pledge itself to an abstract Resolution in favour of legislative interference, have brought in a Bill to effect his object. If the hon. Gentleman had brought in a Bill and had attempted to put into the clauses the details of his plan for paying the merchant importer of rags, he would have found himself beset by insuperable difficulties. Who is to say when rags come from Hamburg whether they are Hamburg rags free, or paid the export duties in Prussia or Russia? You cannot tell, and we know from our old experience of certificates of origin that nothing is more open to fraud; and I contend that if you were to adopt any plan of paying these duties, which importers of rags said had been paid by them in foreign countries, and for which payment some sort of voucher might be produced, you would open the door to a very flourishing trade at the expense of the Chancellor of the Exchequer. In fact, the whole plan is beset with so many difficulties, and in itself appears so delusive, that I hope the House of Commons will not give any countenance to it by agreeing to the Resolution. The papermakers in their printed statement have not gone so far as to say that this £60,000 was equal to £600,000 on all the rags; they only say that it affects the price of all the rags in this country to a greater or less extent. My belief is that the rags in this country are raised in price by the effective demand of our papermakers, who are anxious to execute their orders and make their profits. They raise the price of English rags by their demands, and their desire to have a large trade renders it profitable to import foreign rags with their export duty, but it is at their own option. They are not compelled by any law to embark in the importation of foreign rags. There is no country so full of the raw material for paper making as England. We have a large population and an immense mercantile marine, and other sources of supply, and it appears to me that the papermakers must be left free and unfettered to carry on their trade as best they can. We have never regulated the laws of this country by the laws of foreign countries. We must act for ourselves, and to put on any duties by the way of retaliation, with the hope of getting certain returns, experience has proved to be delusive; and therefore I trust that, under these circumstances, the House of Commons will not reverse the policy which has been already accepted by the present Parliament by very large and repeated majorities.

Mr. MAGUIRE said, that there would be no difficulty in proving whether the export duty had been paid upon rags by means of a certificate signed by the Consul at the port of shipment. A sufficient reason for his not asking leave to introduce a Bill upon this subject was to be found in the circumstance that, according to the practice of the House, a private Member was not allowed to introduce a measure affecting trade. The right hon. Gentleman had expressed a desire that the paper trade should be free and unfettered. That was all that he wanted, and he believed that more would be done towards the attainment of such a result by the adoption of the plan which he proposed than would be accomplished by the negotiations of the Government in a dozen years.

Question put,

"That the position in which the British Paper Trade has been placed by the abolition of the

Import Duty on Foreign Paper, leaving the Foreign Export Duty on Rags in full operation, is one of great hardship to the British Manufacturer, and calls for prompt legislative interference, with the view of placing the Home Manufacturer on terms of fair and equitable competition with Continental Manufacturers."

The House *divided* :—Ayes 95 ; Noes 140 : Majority 45.

ESTABLISHED CHURCH SERVICE — THE REV. A. D. WAGNER.

MOTION FOR A SELECT COMMITTEE.

Mr. WHALLEY said, he rose to move for the appointment of a Select Committee to inquire and report to the House as to the mode in which the service of the Established Church is administered at the Church of St. Paul's, Brighton, of which the Rev. A. D. Wagner is perpetual curate, and especially as to that part of the service of the said Church called Sacramental Confession, as referred to by the said Rev. A. D. Wagner in recent proceedings before the magistrates at Trowbridge, Wiltshire, against Constance E. Kent; and generally to inquire into the like practices in other churches by clergymen of the Established Church. In justification of the Motion he might refer to Motions of a kindred nature which had been made during the present and previous Sessions, in reference especially to those proceedings of the Roman Catholic Church which affected the females professing that religion. The subject which had more recently attracted so much attention throughout the country was that which had arisen in the case of the unfortunate Constance Kent. The subject fixed itself especially upon the attention of the House, from the fact that the practice carried on at St. Paul's Church, Brighton, had come into direct collision with the law in our Courts of Justice. The terms "sacramental confession" and "seal of confession" were unknown to the laws of England, and unknown, as he believed, to the Church. They were a novelty, and a very formidable novelty, when introduced into our Church, and they were especially so when brought into collision with the administration of the law. The Roman Catholic Church deemed auricular confession a necessary and compulsory part of their religious service ; while, so far as confession was adopted in the Church of England, according to the canons and rules of ecclesiastical law, it was entirely a voluntary act, and was in no way compulsory. He might quote a large number of authorities, but he would confine himself to that of the Bishop of Winchester, who, in a recent charge, expressing his view of auricular confession, stated that—

> "The last matter which had engaged his attention was that of private confession—whether it was voluntary or obligatory. The canons before the Reformation recognized it, but the language of the formularies of the Church gave no sanction to private confession, while by the homilies it was condemned. He believed the practice had been attended with the greatest danger ; it was capable of being perverted to the vilest purposes, and was repugnant to the manly common sense and independent mind of the great mass of the English people."

He had received many letters detailing instances of evil consequences which had arisen from auricular confession. It appeared that Mr. Wagner did himself feel the pressure of the circumstances of the case upon him, for he had volunteered an explanation in the newspapers as to how it happened that this poor young woman, Constance Kent, had given a certain sum of money to his Church. A curate of Mr. Wagner had thought fit to furnish the public with a very minute and detailed account of what was the nature of the auricular confession as administered in his Church at Brighton. Nothing could be more clear from his exposition than this, that let Constance Kent—or any other person—only consent to subject herself to the process of confession, there was an end of all her troubles —she was "purified and cleansed," and need not for a moment think of any sins she had committed. From the moment their sins were confessed to another, they themselves would be free from all imputation. Well, the people of Brighton asked why Mr. Wagner called in the assistance of the right hon. Gentleman (Sir George Grey) in order further to purify and cleanse the conscience of Constance Kent ? Twenty-one months she had been under the control and guidance of Mr. Wagner and his assistants; and at the end of that time Mr. Wagner discovered that she was not completely purified and cleansed, and that nothing less than the assistance of the right hon. Gentleman, and the formidable services of the law, were necessary to complete the operation of satisfying her conscience. It was to give Mr. Wagner an opportunity of explaining these things, and to remove from the Church of England a very serious stigma, that he had ventured to ask for the Committee. The Bishop of London, on a recent occasion, when the subject was mooted in the House of Lords, stated that he very much deprecated those practices which were commonly known by the name of Puseyite or Tractarian practices, but that he had no such information of the practices as would enable him to take any effective steps for the correction of them. [*The hon. Member was interrupted by cries of* "Divide!" *and other noises.*] He begged the House to have patience while he disclosed, to the best of his ability, the task which he felt his duty imposed upon him. [*Renewed cries of* "Divide!"] The prevalence of these practices was as notorious as the steeple under which the Wagnerite practices were carried on. They were most obnoxious to a great majority of the members of the Church of England; but the Bishop of London said that he had no knowledge of them except by anonymous communications. This statement of the Bishop's was a most marvellous one, for he held in his hand the affidavit of Alexander James Beresford Hope—a well known name—sworn in 1855, and put in as part of a defence in the case of "Westerton *v.* Liddell." In that case a churchwarden of St. Paul's, Knightsbridge, endeavoured to put in force the law against the Rev. Mr. Liddell, the clergyman of that church, for practices inconsistent with the services of the Church of England, and which went on at St. Barnabas's. It was sworn by Mr. Hope, that in at least 200 churches chancel screens existed. That was one of the most obnoxious of these Puseyite arrangements. It also stated that in ninety-six churches the Lord's table was of stone, and there was another list of churches wherein candlesticks were in use. The judgment of Dr. Lushington showed the importance of candlesticks. Of the list of 400 or 500 churches given by Mr. Beresford Hope, where these obnoxious innovations existed, a great number were in the Bishop of London's own diocese—the very bishop who regretted that he had no power to interfere because he did not know of them except by anonymous communications. This was in 1855; but at the present time, from the lists published weekly in the *Church Times*, the newspaper organ of the party, if that were any authority, the number was quadrupled. And yet the Bishop of London, who had asked for a million of money, towards which the Government was going to contribute £15,000 a year, stated in the House of Lords that he knew nothing of these things, except by anonymous communications.

The CHANCELLOR of the EXCHEQUER: The Government contribution is, I believe, £15,000 in all.

Mr. WHALLEY said, he was under the impression it was £15,000 a year for some successive years. The Bishop said in his speech in the House of Lords—

Mr. SPEAKER: The hon. Member cannot quote a speech made in the other House of Parliament.

Mr. WHALLEY: It had been said, that whatever these grievances, it was most inexpedient to introduce the affairs of the Church into this House, and that they could be dealt with by the laws which regulated the Church. But he believed he was fully justified in introducing them even if in the case of this Mr. Wagner these practices had not been brought, as it were, in collision with the laws of the country; and the more so as the Bishop of London was of opinion that the difficulties which presented themselves to the application of any remedies were absolutely insuperable. The Bishop said that he had instituted proceedings in respect to the practices of St. Alban's, Holborn; but that he despaired of bringing the matter to a satisfactory termination. If anything more than his Lordship's testimony on this point was required the House need only refer to the case of "Westerton *v.* Liddell," in which that model churchwarden, Mr. Westerton, for five years had endeavoured to enforce the law against the hon. and rev. Mr. Liddell who had been able to defy him. He had established in every court the fact that the law was on his side; he had had the decisions of Dr. Lushington, Dr. Dodson, and the Committee of Privy Council all in his favour. Yet Dr. Robertson, when applied to to enforce their monitions, said he had no jurisdiction, and the whole of the proceedings were futile and fruitless. The judgment of Dr. Lushington in the "Westterton *v.* Liddell" case, showed why stone communion tables, altar screens, and candlesticks, things perfectly innocent in themselves, had become of importance, and had been suppressed in old times, because they led, or might lead, to the revival of superstitious practices. If it were said that if he did not like the Church of England he might leave it, his answer was that he declined to leave it. And here he must express his disapproval of the course taken by the right hon. Gentleman (Sir George Grey) at St. George's-in-the-East, to which church he sent a policeman for every three of the congregation to suppress the expression of the just and legitimate indignation of the people. He could quote whole pages of facts to justify the institution of an inquiry into the nature and extent of these Wagnerite practices, which the Bishop of London joined with him in deprecating. It was impossible to exaggerate the cruelty, the hardship, the pain, and the suffering inflicted undeservedly upon members of the Church of England and their families by them. When he said "undeservedly" he meant this—the hon. Member for North Warwickshire (Mr. Newdegate) from time to time brought before the notice of the House cases of hardship inflicted upon inmates of Roman Catholic houses of religion; but those persons had more or less accepted the position, the duties, and the obligations of the religion they professed. But in the cases to which he (Mr. Whalley) was referring earnest members of the Church of England found themselves and their families involved in a net, out of which they had no more power of escape than fishes of the sea when encircled by the meshes of the fisherman. That this was no imaginary grievance he might mention that a memorial had been presented to Her Majesty on this subject, the signatures to which extended to the length of twelve yards. The hon. Member, whose speech had been listened to with great impatience, concluded by moving the Resolution.

MR. STANILAND seconded the Motion.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire and report to this House as to the mode in which the service of the Established Church is administered at the church of St. Paul's, Brighton, of which the Reverend A. D. Wagner is perpetual curate, and especially as to that part of the service of the said church called Sacramental Confession, as referred to by the said Reverend A. D. Wagner in recent proceedings before the magistrates at Trowbridge, Wiltshire, against Constance E. Kent; and, generally to inquire into the like practices in other churches by clergymen of the Established Church,"—(*Mr. Whalley*,)

SIR GEORGE GREY: I think the House will agree with me that it would be most inexpedient to grant the Committee which the hon. Member asks for. His first ground for the Motion is the legal proceedings which have taken place in regard to Constance Kent; but I believe the House will concur with me that this is not a proper time to discuss proceedings which are in the course of judicial investigation. At the same time I may say that there can be no doubt whatever that the law of the land does not recognize any privilege by which a clergyman is entitled to withhold any evidence in courts of law which may be material to the interests of justice. I believe the magistrates of Trowbridge did not admit that privilege, and that they did not allow Mr. Wagner to withhold from them any evidence that they thought essential to enable them to arrive at a conclusion as to the course they ought to pursue. I may also state that on the trial of Constance Kent—should she be placed upon her trial—if the evidence of Mr. Wagner should be deemed material, and he refuses to answer any question put to him, it will be for the presiding Judge to deal with him as with any other witness who refuses to give evidence essential to the ends of justice. Another ground upon which the hon. Gentleman supported his Motion for an inquiry was that certain rumours had reached him as to the mode in which the public service was conducted in the church of St. Paul's at Brighton, and in other churches in other places. I do not think mere rumour is a sufficient ground upon which an inquiry such as that proposed by the hon. Member ought to be instituted, even if it were desirable on other grounds. I have to express my regret that there should be in any churches belonging to the Established Church practices which are inconsistent with that pure and simple form of worship which prevails in the great majority of our churches; but, at the same time, the question is whether these practices are or are not sanctioned by ecclesiastical law. The hon. Gentleman argues that because the Bishop of London has stated that there is great difficulty in obtaining proof of the illegality of the practices in cases where a breach of the ecclesiastical laws has been committed, this inquiry ought to be instituted as to the mode in which the services are performed in all the churches throughout the country, in order to obtain evidence upon which to found criminal proceedings. It is quite clear that if these practices are contrary to ecclesiastical law, they would afford matter upon which criminal proceedings might be taken, and for which penalties might be enforced. And I think the House will hesitate before it institutes an inquiry in order to obtain evidence on which criminal proceedings are to be founded. It is said that the Bishop of London has intimated his intention of taking proceedings in the case to which the hon. Gentleman has referred, and if this results in the proof that there has been a breach of the ecclesiastical law, the law must be allowed to take its course, but I hope the House will not appoint a Committee in order to interfere with those proceedings. I feel bound to express my belief that discussions of this kind do not tend to public edification, and I trust the House will not be disposed to enter into a long debate upon the subject, but will be prepared at once to express its opinion as to the expediency or inexpediency of appointing a Committee.

Mr. WHALLEY said, he concurred with the right hon. Baronet as to the inexpediency of discussing such matters in that House, but he was compelled to bring the matter before them because there was no other way in which they could be specially dealt with. He hoped the House would grant the inquiry he asked for.

Mr. STANILAND said, it appeared to him the question raised by this Motion was whether or not it was expedient, if the law in its present state was inefficient, that they should alter the law. It was notorious that in the metropolis, as well as in many other parts of the country, the pure and simple form of worship which members of the Church of England had a right to expect, and which up to within a quarter of a century ago would have been found in all the churches of England, had been departed from, and the question was whether it should continue to be performed, or whether the service of the Church of England henceforth in those places should be undistinguishable from that of the Church of Rome. He should be exceedingly sorry to make any observations which a Roman Catholic would consider a reflection on his mode of worship; but speaking as a Protestant, and from his own observation, he must say that the manner in which worship was carried on in some churches of this metropolis, although it might appeal to the fears and superstition of savages, was an insult to the commonsense of the people, and it was a disgrace to the Protestant part of the community that they should allow it to be carried on. If the law did permit this it was a gross scandal that it should be so. If the law did not permit it, it was a reflection on the heads of the Church that they did not put the law into operation. He thought that the members of the Church of England had a right to know whether they were in a Protestant or in a Roman Catholic Church. There was the case of St. George's-in-the-East, where the Government did that which was probably right—sent a body of police to prevent a breach of the peace, because the service was so repugnant to the feeling of the people. And what had taken place? Why, that the Rev. Bryan King, the former Incumbent of that parish, had gone over to the Church of Rome. He said it was the duty of those who had the conduct of these matters in the Church to see that the law was carried out, and if the law did not prevent such practices, there ought to be a Committee of Inquiry into the subject. This led him to inquire, what did they remunerate the bishops so highly for—to the extent of hundred of thousands a year—unless it were to superintend the performance of religious service in the churches of the country? If the bishops were unequal to the task of controlling the clergy because of the insufficiency of the law let the law be amended. He was sure that there was in this country such a growing feeling on this subject that unless those in authority took up the question the people would help themselves to a remedy in spite of any police. He should support the hon. Member if he went to a division, but he would advise him to be content with having ventilated the question, and not press the Motion to a division.

Question put, and *negatived.*

CHURCH OF ENGLAND (USAGES, &c).

COMMITTEE MOVED FOR.

Mr. WHALLEY then rose to move that this House resolve itself into Committee of the Whole House, in order that the Chairman might be directed to move that leave be given to bring in a Bill for better enforcing the Law against illegal usages and ornaments in the Church of England, and especially in respect to the practice of Auricular Confession. He said that letters had reached him respecting several Protestant ladies who had been locked up in religious establishments, and he feared that the tendency in all these cases was that the girls lost their reason. As a sample of these institutions he would refer to the one presided over by Miss Sellon. He believed that many of these institutions were possessed of considerable revenues, which they obtained from persons who were induced to become inmates, and he hoped the House would allow him to introduce a Bill on the subject.

Sir GEORGE GREY said, that he could not consent to the introduction of a Bill of the provisions of which he was entirely ignorant. It might be desirable to amend the law with relation to clergy discipline, but this Bill appeared to be directed only against two particular practices, and as its introduction would lead to the renewal of discussions which were very much to be deprecated, he hoped that the House would not allow it to be brought in.

Resolved, That this House will immediately resolve itself into a Committee to consider of the means of enforcing the Law as to illegal usages and ornaments in the Church of England, and especially in respect of the practice of Auricular confession.—(*Mr. Whalley.*)

Motion made, and Question "That Mr. Speaker do now leave the Chair," put, and *negatived.*

LEEDS COURT OF BANKRUPTCY.

MOTION FOR SELECT COMMITTEE

Mr. FERRAND said, that in moving for the appointment of a Select Committee on the Leeds Court of Bankruptcy, it was not his intention to make any remarks in support of that Motion, which he understood the Government did not intend to oppose. He could not, however, sit down without alluding to a remark which fell from the Attorney General the other night with reference to Mr. Wilde. Mr. Wilde had long been a member of the Bar; he was a nephew of the late Lord Chancellor Truro, and a relation of Sir James Wilde, the present Judge of the Probate and Divorce Court; he was also related to many gentlemen in the City of London, and had a large circle of friends, all of whom had read with great pain the remarks of the Attorney General. The hon. and learned Gentleman used the words "personal defalcation" in the same sentence in which he mentioned Mr. Wilde's name. He was told by those who had known Mr. Wilde ever since he was a young man that there was not a more honourable or upright gentleman in England, and that even his most intimate friends had never known him to be guilty of any act which was in the slightest degree tainted with dishonour. They were therefore astounded at the hard expressions which fell from the lips of the Attorney General, than whom there was not, in or out of this House, a more honourable man, and they were anxious to learn upon what grounds or authority he made use of such expressions. He was sure that the hon. and learned Gentleman would in justice to Mr. Wilde, to the House, and to himself, make a satisfactory explanation. In conclusion, the hon. Member moved for a Select Committee to inquire into all the circumstances connected with the resignation of Mr. Henry Sedgwick Wilde as Registrar of the Court of Bankruptcy at Leeds; the granting him a pension; the appointment of Mr. Welch to the said office; and whether he was to resign his appointment in favour of the Hon. Richard Bethell, and receive another appointment in London.

Motion made, and Question proposed,

That a Select Committee be *appointed,* "to inquire into all the circumstances connected with the resignation of Mr. Henry Sedgwick Wilde as Registrar of the Court of Bankruptcy at Leeds; the granting him a pension; the appointment of Mr. Welch to the said office; and whether he was to resign his appointment in favour of the Honourable Richard Bethell and receive another appointment in London."—(*Mr. Ferrand.*)

The ATTORNEY GENERAL: Sir, nobody can call in question the propriety of the discretion which the hon. Gentleman has exercised in not anticipating by a statement in this House the inquiry which the Lord Chancellor himself has desired should be entered upon. His Lordship is of opinion that, although explanations have been given by me which he had reason to believe would have been completely satisfactory, the moment there was any appearance that any considerable number of Members of the House of Commons thought that the inquiry which has been moved for by the hon. Member would be in any degree useful or satisfactory it was most desirable that they should be gratified in this respect. I must own, speaking entirely for myself, that I should have been glad if the hon. Gentleman's own feelings had led him to omit from his Motion the words at the end which seemed to imply at the outset a question as to the truth of the answers which were given in this House. However, that is for the hon. Member to determine; he has thought fit to ask for such an inquiry, and that inquiry the Lord Chancellor is anxious should take place. With respect to myself, I can assure the hon. Gentleman that nothing could possibly have been more surprising to me than to be informed, as I was by Mr. Wilde himself privately, that the words which I used on a former occasion were thought by anybody to convey directly or indirectly the idea of an association of his name with pecuniary defalcations. The words which I used were that complaints had been made in the Report of Mr. Commissioner Ayrton of certain irregularities in the office which was filled by Mr. Wilde, "not extending," I added, "I believe to personal defalcations." My reason for saying that was, that the expression "irregularities" being a vague one, no one could say what might be intended to be coverred by it, and as I had no reason whatever to imagine that anything of that serious nature had been imputed to Mr. Wilde, I was anxious to prevent the possibility of such a construction being placed upon the words which I had used. I regret that I did not use a more positive form of expression than "I believe;" but the reason why I expressed myself so was that I had not at that time read all the papers, therefore could only speak according to the information which I had received in my communications with those to whom I resorted for information. I was not led to suppose that the irregularities imputed were of that serious character. I was desirous clearly to exclude such a construction, as far as I was concerned, and it is matter of very great regret to me to find that the use of the words which I employed for that purpose has been painful to Mr. Wilde or his friends. I will not now enter into the question whether the charges against Mr. Wilde were well or ill-founded, but the nature of the allegations were simply this:—He was alleged to have certified certain accounts as having been submitted to the Commissioner of the district and sanctioned by him, when, in fact, they had not been seen by him; he was said to have been in the habit of taxing the bills of messengers without calling for the production of vouchers for the money stated to have been paid; and he was said to have borrowed money from both official assignees and messengers of the court, to the injury of his official efficiency. I do not like to state these charges without mentioning, which I can upon the authority of the Lord Chancellor, that his Lordship was not dissatisfied with the explanation of Mr. Wilde as far as it related to the point of borrowing money. It appeared that he had borrowed only the very small sum of £25 from one of the messengers, and about £100 from the official assignee some time before, which he repaid while the inquiry was going on. I think that the Lord Chancellor will not be displeased at my stating, in the exercise of my own discretion, what I have from him, that he was not dissatisfied with Mr. Wilde's explanation upon that point. As to the other charges, for not taking proper care in checking accounts, which it was his duty to check, and irregularly certifying certain accounts as having been sanctioned by the Commissioners which, to the full extent, did not appear to have received that sanction, I should be sorry if there were anything exaggerated in these charges. I express no opinion as to the extent to which they were warranted, but most assuredly I do not understand that any charge of a pecuniary nature of any sort or kind has been brought against Mr. Wilde.

Mr. FERRAND: I think it very unfair that the hon. and learned Gentleman should have entered upon the opinions of the Lord Chancellor on the subject. I forbore to make any *ex parte* statements, and the hon. and learned Gentleman has not, I think, acted fairly. I may now be allowed to say that Mr. Wilde denies having done anything improper, and declares that he is able to explain away any charge that may be made against him. I have gone fully into the matter with him, and I believe that Mr. Wilde is innocent of every charge brought against him. He is ready to go before any Committee, and all his anxiety has been that a Committee should be appointed in order that he may have an opportunity of clearing his character.

Mr. DISRAELI: I think my hon. Friend the Member for Devonport (Mr. Ferrand) has acted quite right in not making any statement on this occasion. Whatever that statement might have been, and however accurate, it must have been an *ex parte* one; and I think it would be a great impropriety to make an *ex parte* statement when a Committee is to be appointed. I say nothing of the case of Mr. Wilde. I know nothing of the question relating to him; but it is due to an absent man to say, that from the admission of the Attorney General, and from what has transpired, the charges made against him seem of a frivolous character. What the House is interested in, and the country also, let me impress it on the Government, is, that the inquiry should be a real and *bonâ fide* inquiry. That the inquiry should be, as far as our forms and powers admit of, one of a judicial nature. And what I would suggest to the Government for their consideration is, and I hope that they will adopt it, that it should not be referred to a mere Select Committee, in which both sides of the House are represented. Upon a question of this kind the existence of party ought not to be admitted, and I think we ought to leave it to the Committee of Elections. Let the appointment of a Committee be left to the Committee of Elections. I think it should be composed of not less than seven and not more than nine Members, but this may be left for further consideration. The House, I am sure, will accept the judgment of such Committee with confident trust and satisfaction; and what is of more importance, it would act on the public mind in the same spirit. I trust, therefore, we shall understand that these matters will not be left to the mere routine method and be referred to a Select Committee in the usual manner; but that they will be referred to a Committee appointed by the Committee of Elections—the only course, I am confident, that will give satisfaction to the House or the country.

Mr. ROEBUCK: I should like to know how the Government feel as to what the right hon. Gentleman proposes. I am quite sure this ought to be a judicial inquiry, and that the country will not be satisfied if this is made a party question. I therefore hope that, in order to withdraw this question from party considerations, we shall have some intimation that the Government accept the proposal.

Sir GEORGE GREY: I have no hesitation in saying that the Government entirely agree with the right hon. Gentleman (Mr. Disraeli) that this inquiry ought to be thorough, searching, and impartial, and if the House is of opinion that it will be best conducted by a limited number of Gentlemen nominated by the Committee of Selection the Government will be ready to adopt that course. I apprehend, however, that notice should be given by the hon. Gentleman (Mr. Ferrand), and if that is done, and the House should concur in the proposal, there will be no opposition on the part of the Government.

Mr. HEYGATE: I am glad that this inquiry is to be granted by Her Majesty's Government. The present case, however, is not the only one affecting the high legal personage in question. I regret very much to say that there are painful rumours connected with another case of a similar kind, in which a highly respectable gentleman has been attempted to be forced out of his position. That attempt, however, has failed, and that gentleman has successfully resisted an inquiry for which there was no foundation. That inquiry having been instituted without sufficient cause naturally excited much sympathy on the part of friends, and some excitement in the county in which he was a resident. I will not, however, go into that case on the present occasion, and I will only express a hope that the Lord Chancellor will come out of the inquiry unstained. At the same time, it will be perfectly impossible to allow all these rumours, which I trust are unfounded, to circulate without full and searching inquiry.

Mr. MALINS: Sir, as a member of the professsion the head of which is concerned in this inquiry, I must express my hearty concurrence in the proposal of the right hon. Gentleman (Mr. Disraeli) and my satisfaction that the Government have acceded to it. It is an inquiry in which I and every other Member of the legal profession feel the deepest interest. I have been long on terms of intimacy with the noble and learned Lord in question, for whose great talents I have the deepest admiration, and whose character I most sincerely hope will come clear out of the inquiry. It is not a light matter that such imputations should be cast upon the head of the profession to which I belong. There is nothing in which the country has a greater interest than that the administration of justice should be pure and the head of it above suspicion. I support the inquiry because I act on the belief that these imputations are unfounded; but I agree that such an inquiry ought not to be conducted by a miscellaneous Committee selected in the usual manner from both sides of the House, and which might be open to party considerations. I would even suggest that no Gentleman of the legal profession should be on the Committee, for the inquiry would be one—affecting as it does the character and position of the head of the profession—in which it is impossible that any of us could sit with satisfaction to ourselves or advantage to the country. In the hands of a Committee appointed by the Committee of Selection an impartial inquiry will take place, which will, I hope and believe, remove those suspicions which have so long attached to the noble and learned Lord's name. On the other hand, if it should turn out that there has been a practice of driving out of office persons who are capable of remaining in office and discharging their duties for the purpose of replacing them by the friends and connections of the noble and learned Lord, no man will more decidedly join than myself in condemning practices so discreditable to the head of the profession, and so calculated to bring the administration of justice into reproach.

LORD ROBERT CECIL: Sir, I am not going to offer any opposition to the proposal that this matter should be referred to a Committee to be nominated by the Committee of Selection. I do not share in the absolute belief in the impartiality of such a Committee which appears to prevail; but that opinion, I know, is cherished with the fondness of a religious belief, and I should be sorry to disturb it. I shall be glad to see this impartial Committee when it is nominated, and I will indulge in the charitable hope that it will realize all that is expected of it. But I own I am alarmed at the suggestion of the hon. and learned Gentleman (Mr. Malins). His proposal to strike out all the lawyers would simply be braining the Committee—it would simply be taking out all its brains. At all events, it would be taking out all the brains that are available for this purpose. What possible idea can we have of a judicial inquiry from which all lawyers are excluded? Who is to cross-examine? Who is to probe the case—who but those whose regular training and talent in the performance of the duties that are necessary to the discovery of the truth, which do not come to a man instinctively, but only after long study and experience? In addition to the five or seven impartial Members I should prefer to have two thoroughly partial lawyers, whose duty it would be to conduct the case on either side. Because I do not see how the case is to be proved at all, or how these charges are to be followed home, if you merely throw them down before the Committee and tell the Members to make the best of them. There is another point which I would also suggest. The Government must be well aware of the truth of what the hon. Member for Leicester (Mr. Heygate) says, that these are not the only rumours which have been current. Several of these bankruptcy appointments have been subjected to imputations precisely similar. I do not suggest that those imputations are true, because I have, of course, no knowledge on the subject; but there is a strong *primâ facie* case on their behalf, and I do not think the public will be satisfied unless these charges, especially those which have taken a palpable form, are referred to this Committee. Another reason is that, if the promoters of this case are to be believed, the issue may be whether the Lord Chancellor is to be believed or the Hon. Richard Bethell. That I am told is the issue that will be presented to the Committee. Everybody knows that in issues of this kind you have to look to private character and other corroborative circumstances to judge between the witnesses whose testimony is opposed to each other. For that purpose it is necessary that the Committee should have the power of examining into the mode in which the Lord Chancellor has made other bankruptcy appointments which have become the subject of public animadversion. Because, if it turn out that his general appointments have been pure, it would afford a strong presumption in his favour in the present case; and, on the other hand, if it should turn out that a general system of nepotism bordering on corruption has been going on, there would be a strong presumption that the evidence in this case which bears against the Lord Chancellor is reliable. I hope the Government will consent to extend the basis of the inquiry so as to include one or two other prominent cases, and I hope also that the constitution of the Committee will be such as not only to insure an impartial judgment, but a thorough investigation.

MR. HORSMAN: Sir, I really think we are going a little too far in the matter at present. As the hon. Gentleman opposite (Mr. Ferrand) had given notice of moving for this Committee, I came down like other Members who were interested in the subject, to hear his statement. I was rather surprised to learn, when I came to the House, that the Government had consented to the Committee, and thought that nothing could be more fair and ready than the statement of the Lord Chancellor that he courted inquiry. The hon. Gentleman opposite very properly abstained from making any statement in moving for the Committee. Then the right hon. Gentleman the Member for Bucks (Mr. Disraeli) made a suggestion with which I entirely agree, which was received in a very proper spirit by the Government, the Home Secretary stating that they desired the inquiry should be searching and judicial, and therefore they agreed to the nomination of the Committee by the Committee of Selection. I think it would have been better if the discussion had ended there. But the hon. and learned Member for Wallingford (Mr. Malins), not satisfied with leaving the matter to the Committee of Selection, made a suggestion that there should be no lawyers upon the Committee, whereupon we have the noble Lord the Member for Stamford (Lord Robert Cecil) rising immediately afterwards and declaring that the Committee would be useless without lawyers, and he hoped that the inquiry would be extended beyond the case referred to in the notice of Motion to other cases which had been spoken of in public. If, as is supposed, we are approaching the end of the Session, it is certain that the inquiry thus extended would not be brought to a close until the very end of the Session. It appears to me that in the first instance this particular case should be submitted to a Committee, which, after a judicial inquiry, will report to the House, and upon that report a discussion will arise upon all points connected with the appointments made by the Lord Chancellor, and it will be competent for any hon. Member to make any other matter the subject of a separate Motion. I do not think we ought to overburden this Committee with a number of cases, which would lead to an inconveniently protracted inquiry.

Mr. HADFIELD: I am at a loss to understand the crime imputed to the Lord Chancellor. I have always understood that Lord Chancellors are in the habit of exercising great patronage, and that they favour their relations. If anybody believes that they exercise it for the benefit of strangers, or of merit, he must be very innocent indeed. It happens that at the present moment there are three sinecures of £8,000 each which have been enjoyed for half a century, and one indeed for nearly a century. Talk of exercising patronage for the benefit of relatives! Why the practice has been associated with the history of the country since the time of Bacon. I believe that the present attack upon an individual is suggested more by political motives than by justice.

Mr. W. E. DUNCOMBE: The hon. Gentleman has wasted a vast deal of virtuous indignation, but he does not seem to notice that there is a vast distinction between a Lord Chancellor who simply exercised his patronage in favour of his relatives, which, no doubt, had frequently been done, and a Lord Chancellor who took a course by which offices became vacant in order to fill them up by the appointment of his relatives. It is a slur upon the profession of which the able and learned Lord is the head, and a stigma upon the many eminent men who have preceded him in his high office, to say that such a course as I have described must have been followed by them. I am not going to prejudge the case, nor to refer to rumours that are current, but I would say, cast off all party and personal feelings, let the matter be fully and impartially inquired into, and then the opinion of the country will be that the proper course had been taken to ascertain the truth or falsehood of statements affecting the conduct of a high officer of State.

The SOLICITOR GENERAL: As the question is to be referred to a Select Committee, I do not think it is desirable that this discussion should be prolonged. The hon. Member for Devonport (Mr. Ferrand) in a manner which became him, made no statement in moving for the Committee, and the right hon. Gentleman the Member for Bucks (Mr. Disraeli) also abstained from discussing the subject. I regret that the noble Lord the Member for Stamford (Lord Robert Cecil) should have enlarged the discussion, and I think it would be better now to agree to the Motion at once.

Mr. AYRTON: The right hon. Gentleman the Member for Stroud (Mr. Horsman) objects to extending the inquiry, because it would occupy too much time; but that is hardly a view which the House ought to adopt, although it appears to me that there are serious reasons why the Committee should not proceed beyond the question which is immediately before us. I think it would be a dangerous thing if upon vague insinuations unaccompanied by facts, such as we have heard from the hon. Member for Leicester (Mr. Heygate), the House was immediately to set about inquiring into them. The right hon. Gentleman the Member for Stroud says, that if you embark upon an extended inquiry it would not be finished until the end of the Session, but that is not a reason for not extending the inquiry if it be needful. My objection is that the House ought not to be carried away by all sorts of rumours, and that we ought not to recognize any facts to be inquired into until some hon. Member holds himself responsible for their presentation to the House. When any grievance has a solid foundation there is no difficulty in finding some Member to bring it before the House.

Motion *agreed* to.

And on *Tuesday*, May 30, Committee *nominated* as follows:—Edward Christopher Egerton, esq., Thomas William Evans, esq., Edward Howes, esq., Colonel the hon. E. G. Douglas Pennant, Henry Hussey Vivian, esq., and The Lord Advocate and William Bovill, esq., to examine witnesses, but without the power of voting.

CERTIFICATES OF MARRIAGE, &C. DUTIES REPEAL BILL.

On Motion of Sir James Fergusson, Bill to repeal so much of the Act 55 Geo. III., cap. 184, as imposes a Stamp Duty of Five Shillings on Certificates of Marriage, and of any persons having received the Holy Sacrament, *ordered* to be brought in by Sir James Fergusson, Mr. Dunlop, and Mr. Blackburn.

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 2) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade, under "The General Pier and Harbour Act, 1861," relating to Eastbourne, Clevedon, Herne Bay, Llandrillo, and Pensarn.

Resolution *reported*.

Bill *ordered* to be brought in by Mr. Milner Gibson, and Mr. Hutt.

LIBEL BILL—[Bill 33.]

SECOND READING.

Order for Second Reading read.

Sir COLMAN O'LOGHLEN said, he rose to move the second reading of the Bill introduced by him to amend the law of libel. The time had, he believed, come when the law of libel should be so altered as to remove anomalies which he hoped to show existed in it. The subject was one that could be considered in the present day apart from party politics, because the time was long gone by when the law of libel was used as an engine to stifle opinion or urge party views. A Bill was introduced by Mr. Fox, which had become the Magna Charta of the press of this country. That Bill took away from the Judges the right of saying what was a libel and transferred it to the jury. Various unsuccessful attempts were made between 1830 and 1837 to amend the law of libel, but nothing was done until 1843. In the year 1843 a Committee was appointed to consider the law as it then existed, and on their Report a Bill was introduced by Lord Campbell, and was known in the profession as "Lord Campbell's Act." It effected several beneficial alterations in the law, but it did not carry out all the Amendments which the noble and learned Lord wished to see adopted. In 1856 an action for libel was brought against the proprietor of a Durham newspaper, for publishing a speech delivered at a public meeting, and excited considerable attention. In consequence of the decision in that case, Lord Campbell introduced a second Bill, which did not pass. Several of its provisions were embodied in the present measure. As the law now stands, a party who considers himself libelled might proceed either by civil action or by indictment in a criminal court against the defendant. He had divided his Bill into two parts; the first related to criminal proceedings, and the second to civil proceedings, but he did not propose to interfere with the jurisdiction of the Queen's Bench in granting criminal informations in cases of libel. Criminal proceedings involved a stigma on the person charged, and a malicious person anxious to carry out malicious views might resort to criminal proceedings, whereby he closed the mouth of the defendant, who, if he could be examined, might be the only person who could speak to the truth or falsehood of the charge. The defendant had no right of challenge; the prosecutor had. It was a harassing mode of proceeding, and might be kept hanging over the head of a party for an indefinite period of time. It also involved the person proceeded against in a great expense. Often it had been made an engine of oppression. These were anomalies which ought no longer to exist. In Scotland there could be no private prosecution for libel. There the aggrieved party must proceed by civil action for damages, a course which, if adopted in this country, would give the defendant an opportunity of being heard in his own defence. He did not go so far as to propose the abolition of criminal prosecutions for libel, because there might be cases in which the proceeding by indictment was the preferable one. But he proposed this limitation, that no criminal prosecution for libel should be instituted without the consent of the Attorney or Solicitor General. He also proposed that in every prosecution for libel the defendant should be admissible as a witness. There was a Bill before the House for making this applicable to all cases; but in cases of libel such a provision was especially desirable, for the prosecutor had the power of instituting a civil proceeding, and he might adopt the criminal process merely for the malicious purpose of closing the defendant's mouth. So far with regard to proceeding by indictment or criminal information. With regard to civil proceeding, the main provision of the Bill was to make persons who delivered libellous speeches at public meetings where reporters were present, answerable to the party libelled — instead of the newspaper proprietors—as if they had written and published the libel themselves. There was a great distinction, as was well known, between the law of slander and the law of libel. He did not think that distinction ought to be allowed to continue in cases where a party made a libellous speech at a public meeting for the very purpose of publishing it to the world.

Mr. AYRTON said, it had been suggested that it was very desirable, when an hon. Member was displeased with the state of the House, that he should rise in his place and publicly make that statement. He was displeased with the then appearance of the House, and he begged to call the Speaker's attention to the circumstance.

Notice taken that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before Ten o'clock till Thursday.

HOUSE OF COMMONS,

Thursday, May 25, 1865.

MINUTES.]—Supply—*considered in Committee*—Resolutions [May 22] *reported.*

Public Bills — Inland Revenue Acts*, *Resolutions* [May 23] *reported.*

Ordered — London Brokers*; Inland Revenue Acts*; Wick and Ayr Burghs Election.*

First Reading—Wick and Ayr Burghs Election* [166]; London Brokers* [167]; Pier and Harbour Orders Confirmation (No. 2)* [168].

Second Reading — Fire Brigade (Metropolis) [153]; Record of Title (Ireland) [151]; County Courts Equitable Jurisdiction [150]; Inclosure* (No. 2) [154]; Railways Clauses* [114].

Committee—Bank Notes Issue (*re-comm.*) [123]; Procurators (Scotland) (*re-comm.*)* [157]; Local Government Supplemental (No. 3) (*re-comm.*)* 132]; Smoke Nuisance (Scotland) Acts Amendment* [139]; Inns of Court* [44]; Roads and Bridges (Scotland)* [101].

Report — Bank Notes Issue [123]; Procurators (Scotland) (*re-comm.*)* [157]; Local Government Supplemental (No. 3) (*re-comm.*)* [152]; Smoke Nuisance (Scotland) Acts Amendment* [139]; Inns of Court* [44]; Roads and Bridges (Scotland)* [101].

Considered as amended — Bank Notes Issue [123]; Churches and Chapels Exemption (Scotland)* [147]; Dogs Regulation (Ireland) [127].

Third Reading — Union Chargeability [155]; Partnership Amendment [156]; General Post Office (Additional Site)* [94]; Ecclesiastical Leasing Act (1858) Amendment* [140]; Public House Closing Act (1864) Amendment [159], and *passed.*

THE CASE OF MR. ST. JOHN.

QUESTION.

Mr. MONSELL said, he wished to ask the Secretary to the Treasury, In what way the Government propose to give effect to the Recommendation of the Commissioners of Customs that the services of their late Senior Surveyor General, Mr. St. John, should be recognized in some special manner?

Mr. PEEL, in reply, said, the Treasury had no funds at their disposal, with which they could meet any case of this kind. Mr. St. John died in the public service, and the Pension Acts absolutely gave the Treasury no authority, however strong the claim might be, to grant an allowance to the widows and families of public officers. The Commissioners of Customs were anxious to obtain pensions out of the fund attached to the Civil List, but he was not aware whether his noble Friend at the head of the Government had been able to comply with their request.

IRELAND—THE POLICE IN TIPPERARY.

QUESTION.

Mr. LANIGAN said, he would beg to ask the Chief Secretary for Ireland, Whether, in the distribution of the Constabulary Force in the several counties and towns in Ireland contemplated in the Constabulary Force (Ireland) Act Amendment, Bill he intends to withdraw the extra Police from the county of Tipperary, who have no duties to perform, and are paid out of the local rates.

Sir ROBERT PEEL said, in reply, that the extra force of police causing a large additional burden on the county had been sent into Tipperary on the requisition of the magistrates, and it was only on a requisition from the magistrates that they could be withdrawn. If the hon. Gentleman could induce the magistrates to petition the Government for their withdrawal they would only be too happy to acquiesce in their request.

NAVY—THE "BELLEROPHON."

QUESTION.

Mr. TORRENS said, he would beg to ask the Secretary to the Admiralty, Whether he will state the following particulars relating to Her Majesty's Ship *Bellerophon:*—The date of the Order of the Board of Admirality for the building of the *Bellerophon*, date of approval of design, under the signature of the Board; date when floated out; condition when floated; were decks laid when she was floated; what number of armour-plates will be required to plate the Vessel according to the approved design; what number of armour-plates were on the Vessel when floated; and estimated time of her completion?

Lord CLARENCE PAGET replied that the drawing of the *Bellerophon* was approved by the Admiralty on the 23rd of July, 1863; that the actual commencement of the *Bellerophon* took place on the 28th of December, 1863; and that she was undocked on the 26th of April, 1865, when she was in perfect readiness for receiving her engines, boilers, and lower masts, which had been put into her. When she was undocked there were 3,050 tons of material worked into her including 440 tons of armour-plate. There remained to be worked into her about 1,200 tons of material, including about 630 tons of armour-plate; and she would probably be completely ready for sea by the end of November next.

UNION CHARGEABILITY BILL.

[BILL 155.] THIRD READING.

Order for Third Reading read.

Mr. HENLEY said, he thought that after what had taken place in previous discussions, the House would not be surprised if he made a few observations which would be somewhat in the nature of a personal explanation. The House would recollect that during the course of the discussions in previous stages he had already taken exception to the wholesale charges made against all parts of England, and especially against the county of Oxford in which he lived. It was said that there had been a great and sweeping destruction and demolition of cottages throughout the agricultural districts, for the purpose of clearing off the poor. The right hon. Gentleman the President of the Poor Law Board represented those acts as tyrannical, and made some strong remarks as regarded the county which he had the honour and pleasure of representing. It was stated that though the population of the county was nearly stationary the population of its principal city had actually decreased; and that consequently the rest of the county must have increased in population. He wished to question both these statements, which appeared on unquestionable authority to be erroneous. When the first of them was made he expressed great doubt about it, and he had since referred to figures, which made it plain to any one who looked at the census how the mistake had arisen. The city of Oxford was described in part of the Census of 1861 as a union with a population of about 20,000. It would be perfectly true that if the Oxford Union was taken to represent the city of Oxford, lower figures would show a trifling decrease; but when you came to take a larger area than one union—namely, the area of the cess—which was set forth in the detailed portion of the census, you found that not only had the population of Oxford not decreased, but had actually increased. The actual population of Oxford in 1861 was 27,533; its population in 1851 was 27,388, which showed a slight increase in the ten years; but even those figures did not exhibit the whole truth of the matter. As stated in a footnote of the Census Returns in 1861 the University was "down," in 1851 it was "up," a circumstance which made a difference of 700 or 800 persons. He had therefore shown that the argument for an increase having taken place in the county population founded on the decrease in the population of the capital completely fell to the ground. The premisses being wrong, the conclusion founded upon them was also erroneous. He would illustrate the mistake in a still stronger manner by mentioning the cases of Banbury and Chipping Norton, two important towns, one of them of considerable size. In 1831 the population of the former town was 5,900, in 1861 it was 9,139; the population of Chipping Norton was 2,262 in 1831, it was 3,111 in 1861. The census showed that the increase had been in the towns and not in the rural districts. He now came to a larger question. Having disposed of fourteen or fifteen places which had been mentioned in the first instance, the right hon. Gentleman (Mr. C. P. Villiers) replied by firing eighty places at him—a pretty good discharge to come at a man without notice. He had gone through those places and grouped them. Out of the eighty he took thirty-four cases in which the decrease of houses in no instance exceeded three for any one case. The number of houses in those thirty-four places was 2,563 ; and the whole diminution in ten years had been sixty-five houses. But what was the number of unoccupied houses ? No less than ninety-one. Were proprietors to keep up houses for which there were no occupants? If not, why should such cases be brought forward to show that landlords were pulling down houses in order to clear off the poor ? He now came to twenty-nine other places in which the numbers varied above three, and he would first call attention to three or four parishes which were within eight or ten miles of the place in which he lived himself — namely, Charlton, Great Milton, Little Milton, and Great Hazley. In one of these the decrease was fourteen houses, in another eight, and in a third four. These were perfectly open parishes, so that the diminution must have been the natural result of the law of supply and demand. To show how dangerous it was to jump to a conclusion upon an insufficient knowledge of facts he would instance the case of Littte Milton, the population of which was stated in the Report to have greatly diminished in consequence of the demolition of cottages. Some seventeen or eighteen years ago the proprietor of that parish, finding it to be over full, put his hand into his pocket, and assisted a great number of the inhabitants to emigrate. No doubt many of the cases relied upon in the Report as proofs of the tyranny of landowners were capable of an equally easy and innocent explanation. In that parish at the present moment there were four unoccupied houses. This parish also furnished an instance of the good feeling between the labourers and their masters, for when a number of rioters from a neighbouring county attacked and destroyed the property of the landowners, the inhabitants came forward the next morning and identified every mother's son engaged in the riot. Dr. Hunter referred to some parishes in which he said nothing had been done to increase labourers' house accommodation, but he (Mr. Henley) found that in Chesterton the number of cottages in 1831 was 83, and in 1861 it was 89; in Blackthorn the number of cottages in 1831 was 81, and in 1861 it was 90; in Clifton, in 1831, it was 54, and in 1861 it was 63, and in the last-named parish, which comprised 670 acres, there had been several houses pulled down; but he would ask how a population of 244 could be properly maintained there ? In the parish of Hook's Norton there were 313 houses in 1831, and 347 in 1861, and the number of uninhabited houses was 18. Then came nine places—three of them market towns—Henley, Woodstock, and Witney, and which could not be said to be under the control of tyrannical landlords; the remaining six being parishes in the city of Oxford, St. Peter's, Holywell, St. Mary the Virgin, St. Aldat's, St. Peter Baily, and St. Michael, and in the whole of these there were 72 uninhabited houses. In some of these places, such as Woodstock, which had been famous for the manufacture of gloves, employment had declined; but in the county within fifteen years past the wages had increased 10 or 12 per cent, and there could not have been an increase of wages if there had not been a decrease of people. He had now gone through most of the parishes; six or seven of them were very peculiar, being cut off from the rest of the county; and, looking to Abingdon, in the two parishes of St. Helen and St. Nicholas, he found that in the former case there was a diminution from 1,225 to 1,202, and in the latter case from 151 to 147. He had been at the trouble to analyse the condition between 1831 and 1861 of a great number of the parishes in Oxfordshire, and his own surprise was that, having regard to the course of events, the diminution of houses was not much larger than it seemed to be. It was an absurdity to say that the conduct of landowners could have any effect in reducing the population of those places in which there were many unoccupied houses. So far from the poor being driven into the towns the town of Abingdon was pulling down its cottages in consequence of the decrease in the number of the labouring classes. He trusted he had stated what was necessary in reference to the eighty fresh shots that had been fired at his head. He did not pretend to account for the diminution of the population in the places referred to, which might be owing to various causes. Then, with reference to the Bill itself. They were told they were quite mistaken with regard to it. The leading journal described the Bill as being simply a measure for bettering the position of the agricultural labourers by removing the temptation at present existing to reduce the amount of cottage accommodation available for their use. That was not his view of the matter, as he did not believe in the existence of any such temptation. In his judgment, there were two or three other strong reasons that had not been referred to which induced many people to regard the Bill favourably. One reason was, the prospect it held out of greater facility of management and a greater simplification of the accounts. Another matter which he could not avoid believing had had some influence upon the increasing majorities by which the Bill had been supported was that in the re-distribution of charge which it would effect, three-fourths of the parishes would gain at the expense of the other fourth; and it did so happen, no doubt quite accidentally, that among the gainers were all the large towns, and an enormous number of the boroughs which returned Members to that House. There was one thing he had been more and more astonished at: he was anxious to do away with all removals; he had no means of judging of the feeling of those who supported the right hon. Gentleman, but he should have thought that the supporters of the Bill would have been only too glad to give such a boon to the poor, for that it would be a boon no one had ever denied. The right hon. Gentleman, who knew the trim of those who supported him better than he could do, said that the measure itself was a proper one, but he opposed it because he (Mr. Henley) had suggested it. Many persons had thought that such a measure would increase the charge in particular places, but that circumstance could, of course, have no influence with Gentlemen who were supporting this Bill merely because it would confer a boon upon the poor. It did, however, appear to him to be, to say the least, problematical whether the right hon. Gentleman would at any future time be able to carry such a measure if when he was giving to his supporters a large pecuniary benefit they would not consent to do that which might in a slight degree diminish its value. The House did not know one half of the suffering that arose from the law of removal even as it was now limited. Let them take such a case as this:—A man came to this or to any other city, married, lived ten, twelve, or twenty years, had children, and died. If his widow, in order to obtain a less costly residence, went into another parish her irremovability was gone, and she and her children were liable to be carried away forty, fifty, or 100 miles, to some place where she had never been before, and where she knew no one. Even if she was fortunate enough or well-advised enough to remain in the parish in which her husband died, all her children over seven years of age might be torn from her and carried a hundred miles away. That, however, was only part of the evil which the House was continuing as burdens upon the backs of the poor. The main cause for the alteration of the law of removal was what occurred in the manufacturing districts during the periods of distress in 1839 and 1842, when it was found that many persons who were in the greatest distress would not apply for relief lest they should be removed. The same thing was going on now both in London and elsewhere, and the result was that the public were repeatedly shocked by the occurrence of cases in which distress actually resulted in the death of the sufferer. He believed that the right hon. Gentleman had the means of giving the House accurate information upon this subject, and if that was the case it ought not to be withheld. It was a most important part of the subject, and the Return of removals throughout the kingdom which had been presented to the House was intended to illustrate it. By the kindness of the vestry clerk he had obtained information as to the state of things in the parish in which they were now sitting, and he found that in 1862 there were 100 cases, including 263 persons, in which inquiries were commenced, but in order to avoid removal the applicants for relief ceased to make themselves chargeable. In 1864 the number of persons of whom that might be said amounted to 306. Some of these people might have had the good fortune to obtain employment, but many of them had, no doubt, gone down to the lowest dregs of distress, perhaps crime, rather than be torn away from the places in which they had lived nearly all their lives. This information was stated by those who had furnished it to him to be a part of a Return to the House of Commons. If that was the case, the Return presented to the House must have been shorn of a material fact. He had stated before that in his judgment, as far as the rural districts were concerned, the change introduced by this Bill would not be for the benefit of the poor. He said that because henceforward every union would be exactly in the position of a large parish, and he had noticed that whenever pressure came, the labouring population—he would not use the word "poor"—were not so well employed in large parishes as they were in more limited areas. The best thing for a working man was regular employment, at the best wages he could obtain, and anything which tended to deprive him of that chance of employment was, no matter how he was dealt with after he had been made a pauper, injurious to him. That was another reason why he deplored this Bill. All measures such as this depended upon a balance of conveniences and inconveniences. If they had got rid of removability, he believed that the benefit to the poor would have been so great that they might have risked the other consequences of this Bill; but the House was about to adopt a measure which would confer no benefit upon the poor, and had refused to accept one which would have been greatly for their advantage, because the right hon. Gentleman, for some unaccountable reason, had said, "If I accept your Amendment I shall wreck my Bill." Why the right hon. Gentleman should have such an opinion of his supporters as to suppose that when they were receiving a considerable boon they would hesitate to consent to what would confer a double benefit upon the poor, because in some places it might increase the charge upon the rates, he could not imagine. His objections to the Bill remained in full force; but it was not his intention again to trouble the House to divide against it.

Mr. BENTINCK said, before the House went to a division upon this question he should like to offer a few words in reference to some charges which had been preferred at a former stage of this measure by the right hon. Gentleman the President of the Poor Law Board against that part of the country with which he (Mr. Bentinck) had the honour to be connected, reading from the remarkable Report from which it appeared the right hon. Gentleman had received his information.

Mr. C. P. VILLIERS: I got my figures from the Agricultural Society of Norfolk.

Mr. BENTINCK: Wherever the right hon. Gentleman obtained his information, the statements he had made in respect to the county of Norfolk were as inaccurate as those contained in the Report relating to the county of Oxford. He would tell the right hon. Gentleman that both the population and the number of houses in his county were much on the increase. He was glad in having this opportunity of exculpating his part of the country from the unfounded charges which had been brought against it, and which ought never to have been made. His strong objection to this Bill was its hypocritical character. Its professed object was to benefit the poor, and yet they had not had one word from the right hon. Gentleman in reference to that object, with the exception of the allegation of the right hon. Gentleman that the Bill would no longer allow the continuance of the inducement to landed proprietors to pull down the houses of the poor and to get rid of the inmates. Now he thought that they ought to have had some statement of the right hon. Gentleman as to how the poor were to be benefited by this Bill. The opinion to which he (Mr. Bentinck) had arrived after all he had heard and seen was this, that so far from the poor deriving any benefit from the measure, in many cases it would occasion a large amount of suffering. It appeared to him that amongst the aged and unskilled labourers a vast amount of hardship would arise from the operation of this measure. He, therefore, contended that the Bill was one of a hypocritical character, professing to benefit the poor and yet containing clauses which in their operation would materially damage their position. He concurred with his right hon. Friend (Mr. Henley) in thinking that there was something extremely suspicious in the character of this Bill. It was remarkable that just immediately preceding the general election a Bill should be framed by the Government which, upon close investigation, was shown to be a measure obviously framed to confer a peculiar benefit upon boroughs and towns, and, at the same time, to damage the position of the rural districts surrounding them. The circumstances alluded to by his right hon. Friend tended to show that the Bill was certainly of a somewhat exceptionable character. In whatever light they viewed it, one result at all events would arise from its operation—namely, that it would benefit in a pecuniary sense a large number of towns, whilst it would inevitably prejudice to the same amount the rural districts surrounding them. Now it was well to understand what the nature of the Bill was, and how it would operate before they went to the country. It should be known that under this Bill the interests of the rural population would be sacrificed to benefit those of the towns. At an earlier stage of the Bill he ventured to ask the sanction of the House to a proposal which he believed would tend to counteract the injustice which this Bill in its present shape would inevitably occasion to the rural districts. That proposal was to give power for the re-distribution of the rating areas. That proposal, however, was negatived by a majority of the House. He would make no further opposition to the measure. In conclusion, he would only express a hope that the change which he had failed to make in the Bill would be effected in another place, and that the provisions of the measure would be so modified as to render it one of less injustice to the rural districts of this country.

Mr. KNIGHT said, that the right hon. Gentleman (Mr. C. P. Villiers) by his Bill, instead of settling matters, was unsettling everything. The right hon. Gentleman had gone back to the large areas which were tried in the time of Elizabeth, but were reduced again; which were again tried in the time of Charles II. and again reduced. They were likewise tried in Ireland, but were subsequently reduced because it was found impossible to work them. The right hon. Gentleman had expressed great sympathy for the rural poor, but it was not known to him perhaps that the rural population were the longest lived of the whole community. He (Mr. Knight) had applied to the Registrar General for some statistics upon this subject, when that functionary placed in his hand the following information — namely, that the rural population were 15 per cent longer lived than the urban population. Of the rural population 33 per cent were the labouring population. Now that 33 per cent were much longer lived than the remaining 55 per cent of the rural population generally. That was to say, a man of twenty years of age of the labouring population of a rural district might reasonably expect to live two years and nine months longer than one of the remaining classes of the rural population. The right hon. Gentleman said it was for the good of the working classes he had brought forward this Bill, but he had made admissions as to some of its provisions, that he did not expect they would gain anything by it. The right hon. Gentleman said that the farmers would be benefited by this measure because they would not be obliged to employ partially infirm labourers, and their rates would be reduced. Now, how those two things were consistent with an increased benefit to the poor, to him (Mr. Knight, did not appear. Mr. Chadwick and those other gentlemen with whom the right hon. Gentleman was connected in 1837, at the time of the passing of the Poor Law Amendment Act, stated that their object was to reduce the rates to the lowest possible amount for the relief of the poor; and in order to effect that object they endeavoured to lessen, year by year, the numbers receiving out-door relief, and to oblige the poor to go into the union workhouse. The consequence was, there was not a town in the country that was not full of chartists; great discontent arose, the whole kingdom was almost in a state of rebellion, and the people were levying arms in every town in England, which culminated in Frost's outbreak in South Wales. That state of things was only remedied by the great alterations made in the Poor Law Act, which tended to enlarge the classes of poor persons who had a claim to out-door relief. The great argument used in this House in connection with the present Bill was what was called the close parish case. The right hon. Gentleman had it in his power, if any such cases existed within his knowledge, to bring forward such cases and to probe them, but he had done nothing of the sort. If such places existed, nothing could have been easier for him than to have laid before the House specific information as to the counties in which they were to be found, and the persons who had reduced the number of houses on their properties. That, nevertheless, the right hon. Gentleman had not done. The first time the close parish cry was raised was in the examination of the evidence taken before the Committee of 1847. But the only evidence heard on that subject was of a hearsay character, no specific instances were brought forward. The late Mr. Charles Buller appointed Commissioners to investigate the close parish question, and to discover the parishes in which the demolitions occurred. Those Commissioners produced by name a great number of alleged cases of that character. A reference, however, to the census, showed that those allegations were wholly unfounded, that the number of houses instead of having diminished had largely increased, and Mr. Baines in bringing in his Bill for union rating in 1854 thought it wiser to drop that part of his case. The subject was not again renewed until the right hon. Gentleman was appointed Chairman of the Irremovable Poor Committee. The charge was once more made of houses and cottages in certain districts having been pulled down, and the poor inmates driven away. An application again to the census, however, proved the groundlessness of such charge, and thus that argument failed again. Another Committee, which the right hon. Gentleman presided over, had been called the Whitewashing Committee. It was appointed to consider the state of the Poor Law Board—whether it had properly conducted itself, and whether its orders were beneficial to the public—before it could be allowed a renewal of its lease. The evidence taken before that Committee, however, was so craftily managed that the constant increase of infanticide, the disgraceful state of medical relief to the poor, the deaths by starvation, and the way in which the medical relief of the poor was put up, as it were, for sale at a sort of Dutch auction—all those questions were quietly got over by this Whitewashing Committee. Nor was there one word of evidence taken about the close parish case or the pulling down cottages. Yet a Member of the Committee newly appointed, and who had not sat or heard the evidence for the previous three years, proposed a Resolution in favour of union rating, and it was carried unanimously. They had had now with reference to the present Bill before the House two sets of arguments—namely, the arguments of the House and the arguments of the lobby. The arguments used in the House were the close parish case and the good results to the poor. Those arguments had been answered over and over again. The arguments of the lobby resolved themselves into this, "My borough will gain £1,000, £2,000 or £3,000 a year by this Bill, and, therefore, I must vote for it. At the general election, that argument will have due effect in securing town voters." Now there were about 330 borough Members in that House, to 160 county Members, so that the latter had no power to prevent this transfer of property. The fact was that the Bill was one to take the property of the counties and to give it to the towns and boroughs. He had hoped that the Return moved for by the right hon. Gentleman the Member for Oxfordshire, would have been made before this, as it would have enabled the House to calculate how much every borough would gain at the expense of the county. In its absence they might assume that they were voting away millions of property on the eve of a general election. He knew it was useless to reply further to any of the arguments used in favour of the present measure.

MR. MITFORD said, that he had supported the Bill, but felt that in the case of strikes or other extraordinary circumstances it would cast heavy burdens on rural parishes adjoining great towns. He had opposed the Amendment for the redistribution of unions, because the power to effect this already existed, and in hopes that the President of the Poor Law Board would give some pledge as to the exercise of this power. He (Mr. Mitford) had waited till the eleventh hour in hopes that this would be given, but the right hon. Gentleman had throughout evaded that question. In the debate on Mr. Baines' Bill the right hon. Baronet (Sir George Grey) said that an alteration of the boundaries of unions would be necessary in some cases where rural parishes were included in the same union as populous towns. This is what he (Mr. Mitford) said now. The President of the Poor Law Board had promised to bring in a Bill to abolish Gilbert unions, when a favourable opportunity would be afforded to go into the whole question of re-distribution. He (Mr. Mitford) hoped to see shortly the end of the present cumbersome and costly system of making and collecting poor rates, and that for this purpose all the parishes of a union should be deemed to be one parish. He lived in a union of twenty-seven parishes which ran very much into each other. The practice was to call upon the overseers to make and collect a separate rate in each parish. Fees were paid to Justices Clerks, and much trouble and travelling resulted. Moreover, these functionaries were not always very competent for this work. He thought that the Board of Guardians should be empowered to make and collect these rates.

Bill read 3°, and *passed.*

BANK NOTES ISSUE BILL.

[BILL 123.] THIRD READING.

Order for Third Reading read.

THE CHANCELLOR OF THE EXCHEQUER said, he rose, in conformity with his notice, to move that the Order for the Third Reading be discharged, and that the Bill be re-committed for a certain limited purpose. It had been his intention, in accordance with an established practice, after the re-committal of the Bill and the adoption of his Amendment, to proceed at once with the third reading. But having understood from the right hon. Gentleman the Speaker that, inasmuch as there was a notice given of an intention to move the rejection of the Bill upon the third reading, it would be more regular and becoming to postpone the third reading to a future day; he should acquiesce in that suggestion, and would therefore postpone his Motion for the third reading until next week. He now moved the re-committal of the Bill for the purpose of asking the House in Committee to insert certain words in the preamble. There were other notices of Motion given by hon. Members, one of which, by the hon. Member for Leicester, he should not object to. The notice of the hon. Member for Leicester (Mr. Heygate) was one affecting the eighth clause. He (the Chancellor of the Exchequer) thought, as some hon. Members might object to it, that it would be more convenient to combine the two notices together. He should therefore now move—

> "That the Order for Third Reading be read and discharged, and the Bill re-committed for the purpose of inserting in the Preamble, after the word "mentioned," the following words; 'And to fix by Law a time whereat the present statutory right of issue on the part of Bankers obtaining such exemption shall determine, in order that either their issues may become subject to the enactments of the Bank Act of 1844 hereinafter mentioned in respect to lapsed issues of Bank Notes, or that Parliament may make further provision concerning them as it shall think fit upon grounds of public policy,' and for the purpose of making Amendments in Clause 8."

Motion made, and Question proposed, "That the Order for Third Reading be read and discharged."—(*The Chancellor of the Exchequer.*)

MR. HEYGATE said, he advocated the recommittal of the Bill, for the purpose of substituting the word "may" for "shall" in the eighth clause, in conformity with an agreement arrived at between the Chancellor of the Exchequer and the Association of Bankers on the 11th inst. As that course might seem at first sight inconsistent with the part which he had taken in Committee on the Bill, when he expressed opinions hostile to the whole scope and policy of the measure, he begged the indulgence of the House while he endeavoured to explain the reasons inducing him to propose an Amendment having for its object the carrying out of the compromise to which he had just referred, and which, had he considered himself perfectly free to act, he should certainly not have submitted to the House. It was doubtless within the knowledge of most hon. Members that the introduction of the Bill was regarded with suspicion and dislike by many classes throughout the country, and certainly met with little favour from the community of bankers. The Association of Bankers, originally formed for the purpose of watching the proceedings of a Committee appointed in 1857 to inquire into the operation of the Bank Act of 1844, took measures for the protection of its own and the public interests, and the result was that after various negotiations between the Chancellor of the Exchequer and a Committee appointed to conduct those negotiations, several alterations were agreed to by the former, and at a full meeting of members of the association on the 19th of April, it was resolved that all future opposition to the measure should be withdrawn. Unfortunately, the compromise thus effected was not adhered to in every particular, for this eighth clause, upon the wording of which a great deal turned and which was a principal question in the discussions, was not only not submitted to the Committee of the House in the terms agreed upon between the two contending parties, but the clause underwent still further alteration in the House in a sense more than ever inimical to the banking interest. A second series of discussions and renewed opposition to the Bill was the natural consequence of this departure from the agreement; and not to weary the House with details fresh negotiations took place between the Committee appointed by the Country Bankers' Association and the right hon. Gentleman the Chancellor of the Exchequer, and the result was that new proposals less friendly to the country issue than the former were submitted for the consideration of the bankers. Before dealing with them, the Committee of Bankers very properly issued an urgent summons to every member of the Association on the 9th of May, explaining fully the nature of these proposals and earnestly inviting their attendance on the 11th "for the purpose of considering and deciding upon their adoption or otherwise." In spite, however, of that urgent summons the meeting on the 12th was but thinly attended, and it was then and there resolved (though by a small majority only, fifteen voting one way and thirteen another) to "authorize the Committee to accept these last proposals with such modifications (if any) as they could effect." Whereupon and under such express authority, the Committee after suggesting modifications without success, did actually conclude the negotiation by accepting unconditionally the Chancellor of the Exchequer's terms, and left nothing unsettled except the manner in which the arrangement should be carried out on the third reading of the Bill. Under these circumstances, as was probably known to the House, various banking firms, some of whom voted in the minority referred to, but most of whom did not attend the last meeting, resolved to take separate action for themselves, and oppose the further progress of the Bill. But when he remembered that the Association now comprised every bank of issue in England among its subscribing members, and having regard to the urgent summons they each and all received, and the full notice of the terms they were then invited either to accept or to refuse, he could not resist the conclusion that there was but one course open to the members of the Association—namely, to carry out in their integrity the terms of the last agreement. It was urged, he knew, that the right hon. Gentleman not having rigidly adhered to his former agreement in reference to the eighth clause, it was competent for the bankers to do what they liked on this occasion; but he was not aware that a departure from the terms of one contract justified a breach of faith in return with respect to another contract. Indeed it appeared to him that by the acceptance of the last proposals of the right hon. Gentleman his conduct in reference to the former was condoned, so that nothing now remained for them but to fulfil the terms of an honourable engagement.

Mr. HADFIELD said, there was considerable opposition to the Bill in Sheffield and the neighbourhood, and although they did not approve of the understanding that was come to between the Committee of the Bankers' Association and the right hon. Gentleman the Chancellor of the Exchequer, yet they would have abided by it. They objected on principle, and believing it to be a matter that required further consideration they wished to have the Bill referred to a Select Committee of that House, where they could be heard. It was a most important subject involving no less than six millions of capital, and he should propose that in referring the Bill to a Select Committee that the Committee should not sit until after the Whitsuntide holidays. It was contended by the bankers of Sheffield and the neighbourhood that their interests and those of the public had not been considered to the extent it ought to have been from the hasty manner in which the Bill had been brought forward. Many country people, tradesmen and others, from their personal knowledge of provincial bankers, considered it safer to deal with the country bank notes than with those issued by the Bank of England. With regard to the Amendment that was introduced into the Bill, he believed it was carried against the will of the right hon. Gentleman the Chancellor of the Exchequer, and it was generally disapproved of by the country bankers. He moved the re-consideration of the Bill in a Select Committee, and that it be postponed until after the holidays.

Mr. SPEAKER said, the hon. Gentleman could not then make the Motion. The question before the House was that the order for the third reading should be discharged.

Colonel EDWARDS said, he wished to second the Motion of the hon. Gentleman the Member for Sheffield.

Mr. SPEAKER reminded the gallant Colonel that the Motion was not then before the House.

Mr. HADFIELD said, he did not oppose the re-committal of the Bill. He would make his Motion at a subsequent period of the proceedings.

Mr. NEATE said, he would like to hear a more satisfactory explanation of the principle of the Bill than had yet been given by the Chancellor of the Exchequer. Was it framed on the principle that the Government had a right to stop the issue of these private notes unless the banks paid for the privilege, or did it assume that the banks had a perpetual right of issue, and that the right hon. Gentleman wished to induce them to give up the right by securing its exercise for a limited term, and by offering them other advantages? It was clear to him that these banks had an undeniable right to continue their issue, and that they had a right to compensation if the privilege were taken from them. The late Sir Robert Peel was stated to have assured a deputation of bankers in 1844 that the privilege of issue would be continued to them. The definition of a bank note was a note payable to the bearer on demand, and the 9th of Queen Anne gave everybody the right to issue them. Then came the Bank Charter Act. The Chancellor of the Exchequer of the day having ascertained the injurious effects which arose from an unlimited right of issue, restricted the privilege; but now it was proposed to go much further, and to deprive individuals who had invested large capital in their business of the right which they had hitherto enjoyed, of issuing notes to a limited amount. He should like to hear from his right hon. Friend whether he meant to say that the Government were justified in depriving those banks of that right without giving them any compensation, for if so he was prepared to join issue with him, and would endeavour to defeat the Bill.

COLONEL EDWARDS said, it was not his intention then to enter into the merits of the Bill, because he should have ample time for doing it on the third reading. He wished, however, to set himself right in one matter. In the recent discussion which took place on this Bill he considered it his duty to oppose it, and he stated at that time that it was the universal opinion of the country bankers that the Bill was inimical to their interests, and ought not to pass the House of Commons. He was then told that a majority of the bankers had decided in favour of the Bill, and to a certain extent that might be true. There was a meeting of bankers in London, as had been referred to by his hon. Friend the Member for Leicester (Mr. Heygate), and on a division there was a majority of two in favour of proceeding with the Bill, but the promoters consisted of persons deeply interested in the Bill, and Members of the National Bank of Issue, and they were supported, in a great measure, by persons interested in the Bank of England, who no doubt were favourable to the Bill, because they would be glad to see six millions of floating capital absorbed at once. That would not satisfy the country, and he ventured to assert that if the Bill passed it would entail most serious consequences upon its trade, more especially in small towns and their neighbourhoods where district banks circulated their own notes, and where country bank notes were taken with as much confidence as Bank of England paper. Another important meeting of the Bankers' Association had been held that day. All the most important firms in the Kingdom were represented, and he regretted to find that the Chancellor of the Exchequer declined to receive a deputation that afternoon, and that he avoided meeting them to discuss the subject. He trusted, however, that in a short time the right hon. Gentleman would find an opportunity of doing so, because the opinion of so large and influential a body of men ought to be listened to upon a question which so materially affected their interests. He would read to the House the Resolution that had been agreed to at the meeting held that day—

> "That the Committee, accompanied by any Members of the House of Commons who will attend with Mr. Beckett Denison, Mr. Bayley, Mr. John Jobson Smith, be requested to solicit an interview with the Chancellor of the Exchequer and to inform him that at a meeting of bankers held this morning, more numerous than any previous one, it was resolved by a large majority that in deference to the very general feeling entertained by the country bankers, he be respectfully requested to withdraw the Bank Issues Bill. Failing this, that this meeting is of opinion that the Amendment of Mr. Salomons should be supported."

And if no other Member would support the hon. Member for Greenwich (Mr. Alderman Salomons) on that occasion he would, for a more dangerous Bill for the banking interest had never been concocted by the Treasury Bench. It was a confiscation of property, for the issue of private banks was, and always had been, a chief source of profit; and now without compensation it was proposed to deprive this great interest of that privilege. He hoped that the Chancellor of the Exchequer would, before the third reading of the Bill, reconsider the matter, and do an act of justice to the country by withdrawing the Bill.

MR. CLAY said, he thought the discussion at present was not precisely to the purpose. The Chancellor of the Exchequer was willing to put off proceeding any further with the measure for a week. His hon. Friend (Mr. Hadfield) was of opinion, and in that opinion he shared, that as a week would bring them within a day or two of the usual holidays, it would be better to defer the Motion for the third reading until after Whitsuntide.

MR. GREAVES said, he was Chairman of the Bankers' Association, which was first formed in 1857-8 — when a Select Committee of that House was appointed to inquire into the general question—for the purpose of defending the issue of both public and private banks. It was at that time proposed to have two gentlemen appointed on the Committee—one to represent private banks and the other public banks, not for the purpose of influencing the decision of the Committee, but, understanding banking operations, to elicit from the witnesses that information which it was desirable the Committee should obtain. That application was refused by the then

Chancellor of the Exchequer, and the Bankers' Association confined their operations to putting before the Select Committee such witnesses as could give most desirable information. No action, however, had been taken upon the Report of the Select Committee, but the Association had continued in existence. He had ceased to be a banker, and had only attended one meeting recently, and he had done that merely for the purpose of transferring to other hands the funds which he had held as trustee. As soon as the present Bill was laid upon the table he went to the gentleman who conducted the proceedings in 1857-8, and urged him to write to all the banks of issue, whether subscribers or not to the Association, naming a certain day and place for them to meet in London to consider what was best to be done for the general interest of bankers with respect to this Bill. Several meetings had in consequence been held, and he understood the Chancellor of the Exchequer had given the Association a great deal of his time and attention with regard to what clauses should be introduced into the Bill, and he believed the result was embodied in the present Bill. He did not consider the Bill so inimical to the interest of bankers as many supposed. He believed that the country bankers were bound in honour, as in interest, to accept the Bill as it stood. It gave them a lease for fifteen years of their privileges; and they were not bound to come within its operations, in which case, according to the assurance of the Chancellor of the Exchequer, their interests would not be affected. But before the fifteen years was up the whole subject of the circulation and currency must be inquired into. It was desirable—nay, absolutely necessary—that there should be a Committee, because the present currency laws had broken down, and might break down again. He supported the proposition of the Chancellor of the Exchequer.

MR. HUBBARD agreed as to the desirability of the Government indicating a distinct principle of policy when they propounded a measure of this kind. He differed, however, entirely from the principles laid down by the hon. Member for Oxford. If it were contended that bankers had undoubted and perpetual rights of issue, this must be established upon natural rights of freedom of commerce or upon rights conferred by legislation. In his view, on neither point could private issuers establish their right. As to the question of the natural freedom of commerce, it must be recollected that the right contended for was not to make bills of exchange or promises to pay at a future day. Their existed no restraint on that practice. But when they came to bank notes, which meant promissory notes payable on demand, and professing to be at all times the exact equivalent of the coin which they represented, they had to deal with a very different article. It was not a bill of exchange; it was paper money. It would not do to say that because Acts of Queen Anne gave permission to issue certain commercial documents that those Acts conferred perpetual rights. As we advanced in the science of Government we had had to regulate, in the public interest, all such rights. No one ever doubted that the coinage of money was the indefeasible right of the reigning power of the State. It was true that this right had been subjected to many irregularities; but the rule had been maintained. At the early part of the present century there was a great lack of the smaller circulating media of the country, silver and copper. And what was the result? Many individuals issued silver tokens; and in 1813, when a statute was propounded in that House to regulate the issue of silver money there was great agitation in the town of Reading, and a resident received the unanimous thanks of the inhabitants for having created a large amount of silver tokens, which to them were as useful as the notes of private issuers were to their customers. Their remonstrance, however, did not successfully arrest the movement of the Ministers, who passed an Act prohibiting the circulation of silver tokens. Subsequently to this Sheffield, Birmingham, and other towns issued copper tokens, which, of course, were very profitable to the issuers; but in 1818 the Government passed another Act prohibiting entirely the private issue of copper coin. Then what was the difference in principle between paper money and copper and silver money? The only difference, that when copper money was issued the value of the metal was half at least of the value at which the coin circulated, while of paper money the intrinsic value was nothing, so that the very strongest security should be required for the professed value at which the note circulated. If it was a function of the State to give value to coins by stamping them with their authority, much more was it their function to make the issue of paper money a part of their business and make the money safer to the country. When the makers of paper money talked about their indefeasible right, did they consider that they had been sharing with the Chancellor of the Exchequer the power of drawing revenue from the pockets of the people? The hon. Member for Oxford said that whenever the State interfered with private enterprize it gave compensation. Well, he had not the least objection to this; and he dared to say that the Chancellor of the Exchequer would have no objection to give compensation to the full value of the paper and the printing presses, which were the only capital engaged in the enterprize. It might be said that the privilege of issue in country places was advantageous to the neighbourhood, by supplying money for agricultural and manufacturing purposes. But did these country bankers supply their customers with money at an interest even a fraction lower than its market value? They did not; and therefore they made not the slightest concession to their customers in return for their monoply. The lapsing of country issues would not cause any deficiency in the circulating medium; for the additional Bank of England issue would immediately flow into any district where capital was called for. The existing banks would not cease their banking business because they lost their power of issue; but, if they did, other banks, such as the London and County Bank, would extend their operations and supply capital even in the remotest towns. With regard to the legislation on the subject, up to the year 1821 there was no such thing recognized in this country as the true principle of currency. Nay, up to 1844, legislation had not touched the question of issues, either by the Bank of England or by country banks. The Act of 1844, aiming at the entire absorption, sooner or later, of the whole of the issues of the country into one uniform administration, paved the way for that step by enabling country issuers to compound with the Bank of England for certain annual percentages, hoping that a large portion of them would come under that clause; but the very clause which empowered the Bank of England to give these annual compensations directed that they should cease in twelve years. The measure did not at that period take effect, because it would have been unjust to terminate the interest of the compounding banks, while those who had not compounded were still at liberty to carry on their issues. Then came the Annual Continuance Bill; and thus there was reserved to the Legislature the right of interference at any future time. Sir Robert Peel's Act of 1844 limited, and by limiting affirmed the right of dealing with all private issues. If the country issuers had the indefeasible right to issue bank notes the Government could have no more interfered with that right by limiting its exercise than they could have interfered with the making of bills of exchange. He looked upon that measure as an unequivocal declaration on the part of the Government of the right to interfere with the issue of paper money. He denied entirely the argument of the hon. Member for Oxford, and he affirmed that the Crown, in the interest of the people and for their security, as well as with a regard to the National revenue, had a right to interfere with, limit, restrain, and terminate the whole of the bank issues of the country.

MR. COBBOLD said, he wished to ask when the Committee were to meet.

THE CHANCELLOR OF THE EXCHEQUER: At once.

MR. ALDERMAN SALOMONS said, that as the Amendment still more obscured the Bill, he had hoped that the re-committal would have been agreed to, for the purpose of taking the discussion of the principle on the third reading. When that Motion was made, he intended to move, as an Amendment, that the third reading be deferred for six months.

Question put, and *agreed to.*

Order for Third Reading read and *discharged.*

THE CHANCELLOR OF THE EXCHEQUER moved that the Bill be re-committed with regard to the preamble and the eighth clause.

Motion made, and Question proposed, "That the Bill be re-committed in respect of Clause 8 and the Preamble."—(*Mr. Chancellor of the Exchequer.*)

MR. HADFIELD moved, as an Amendment, that the words, "in respect of the preamble and the eighth clause," be omitted from the Motion.

Amendment proposed, to leave out the words, "in respect of Clause 8 and the Preamble."—(*Mr. Hadfield.*)

THE CHANCELLOR OF THE EXCHEQUER said, that the recommittal of the Bill was proposed for the purpose of enabling him to fulfil the engagement to a body of appointed representatives of country bankers, but he had thought it right to include other Amendments of which notice had been given. He must oppose the Amendment of the hon. Member for Sheffield, of which notice had not been given, who, objecting to the Bill altogether, moved an Amendment merely dilatory in its effect.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Ordered, That the Bill be re-committed in respect of Clause 8 and the Preamble.

Bill *considered* in Committee.

MR. COBBOLD said, that the right hon. the Chancellor of the Exchequer sent to the committee of country bankers on the 17th of April a proposed Amendment in the following words for their acceptance:—

"The Lords Commissioners of Her Majesty's Treasury may on, and at any time after, the 1st of January, 1879, by notice in the *London Gazette,* declare that, unless Parliament otherwise determine, at the expiration of one year from the date of the notice, all issues of banks in respect of which a percentage may be payable under this Act shall cease, and thereupon such issues shall cease accordingly."

On the 19th of April there was a very large meeting of the country bankers, and he believed that there was only one banker who voted against the acceptance of the proposed Amendment, and thereupon the bankers agreed to withdraw their opposition to the Bill. The right hon. Gentleman, however, in giving notice of his Amendment did not entirely follow the words which were submitted to the committee of bankers. During the discussion of the clause in Committee a most important alteration was made. He admitted that he and many other Members interested in the question were in the House at the time; but the right hon. Gentleman having made a long speech before going into Committee, the alteration was afterwards made in a very hurried manner; at all events in a manner so hurried that he and many Gentlemen who sat beside him did not understand its nature until they saw the Bill in print a few days subsequently. The public were also led, through the usual channels by which they learned what passed in that House, to misconceive the true character of the alteration. In the Report of the discussion given by *The Times* it was stated that—

"Mr. Hankey proposed that the word 'if' should be omitted from the clause;"

and it was afterwards added that—

"Mr. Hankey withdrew his Amendment, and the Amendment of the Chancellor of the Exchequer, with some verbal amendments, was inserted."

It was quite true that the alteration consisted of a very little word; but a distinguished Master at Eton used to say that if they took care of the litle words the great ones would take care of themselves. In that case the small word "if" had been omitted, and words declaring absolutely that on or before a certain day notice requiring the termination of these issues should be given were introduced. The clause then stood "on or before a certain day notice shall be given." When it came to the knowledge of the bankers that that important alteration, as they deemed it, had been made, they remonstrated strongly against it; and he had, therefore, taken the liberty of putting on the paper the notice which stood in his name, and which sought to restore the clause to the shape in which it had been proposed by the Chancellor of the Exchequer himself, had been accepted by the bankers, and on the faith of which the bankers had been induced to withdraw their opposition. The hon. Member concluded by moving his Amendment.

Amendment proposed,

"In page 3, Clause 8, to leave out to 'eighty,' in line 8, and insert"—

("Issue of Banks accepting conditions of Act to continue till 1st January 1880.)

8. "The Lords Commissioners of Her Majesty's Treasury may on and at any time after the first day of January, one thousand eight hundred and seventy-nine, by notice in the *London Gazette,* declare that unless Parliament otherwise determine at the expiration of one year from the date of the notice all issues of Banks in respect of which a percentage may be payable under this Act shall cease, and thereupon such issues shall cease accordingly; but."

MR. AYRTON said, he had heard with great regret the attempt of the hon. Gentleman to disturb the arrangement which had been come to after so much discussion and deliberation. The ground of the present opposition of the hon. Gentleman was, that he did not understand what passed on the occasion to which he had alluded. He could not admit that the alteration of which the hon. Member (Mr. Cobbold) now wished to get rid was adopted in a hurried or unintelligible manner. He had himself pointed out, in no inaudible voice, to the Chancellor of the Exchequer the evil tendencies of the Bill as it was originally submitted to the Committee, and the necessity of making some alteration, and the full spirit and character of the

Amendment. Another hon. Member (Mr. Hankey) then suggested the mode in which it could be carried out, and it was agreed that the condition should be left out. The Chancellor of the Exchequer then made some alterations in the clause, and read it audibly to the Committee. Everybody must have known that by omitting the word "if" the conditional character of the clause was taken away, and the verbal Amendments suggested by the Chancellor of the Exchequer merely gave a more grammatical form to the proposal of the hon. Member for Peterborough (Mr. Hankey). All this was done in the presence of the Gentlemen who took so much interest in the Bill, not on account of the public interest, but of their own interest. When the Chancellor of the Exchequer accepted the Amendment, in order to get rid of the ostensible opposition, and a still more latent opposition, and when no one rose to protest, and claim the benefit of any previous arrangement, they were bound in honour and in conscience to accept what had been done. The hon. Member, however, claimed the right to revert to the original words of the clause, because of an alleged prior understanding. When besieged by the private bankers and their friends in that House the Chancellor of the Exchequer might have made some suggestions in the hope of making the measure more palatable to them; but those suggestions were surely subject to the condition that the House would accept and ratify them. The right hon. Gentleman knew the extent of the opposition which his Bill had to encounter in that House on the ground of the public interests, and perceived the precarious position in which it stood when they were last in Committee. But the measure having since then been advanced a stage, and the bankers having thus gained the advantage thereby secured to them, without raising their objections at the proper time, it was not competent for them to turn round now and claim to be relieved of the condition on which alone the Committee allowed the measure to proceed. But there was something more grave in the consideration of this question. The pertinacity with which the monopolists desired to introduce this alteration into the Bill showed the object they had in view, and the latent intentions which they entertained in endeavouring to induce the House to acquiesce in their proposition. The country had been greatly tantalized in the matter. First one period and then another had been named for the termination of that monopoly. It was quite clear that what they were now doing they would be certain to do when January, 1880, should arrive. They had now fifteen years within their reach, and proposed to postpone the period indefinitely. The hon. Member for Oxford (Mr. Neate) had given some insight into the course they were now pursuing. He had put forth the claims of the bankers, not as a banker, but as a lawyer, and said that the effect of legislation had been to give the bankers an indefeasible right in perpetuity to the issue of notes. Now, what was the real character of this legislation? Parliament, in suppressing the issue of £1 notes, made the issue a State matter. The principle of right was asserted. The banker had no individual right. All the community had a right. But in 1844, all the world being at liberty so to do, Parliament decided that no one should do it. The right to issue £5 notes was destroyed in 1844. The power to issue was reserved as a compensation to certain people, but the right was emphatically destroyed, and the words of the statute showed that the power was only to continue as long as Parliament might think fit. Time was allowed them for twelve years, and then they were to have no further claim. Parliament did not abrogate its rights. It only gave to these private bankers, but not of right, the power of going on with their business, in order that when the time came, in twelve years, they should have no possible claim, moral or otherwise, for compensation at the hands of the State. That was the legitimate conclusion of all that had been said and done. The whole discussion that took place left that impression on the mind of every one that read it. But now, hon. Gentlemen got up and claimed a right in fee simple. And what was the value of that right? The value of the paper monopoly to the country was not less than £500,000 a year, and it was monstrous to suppose that a sum equivalent to £17,000,000 was to be given to them in perpetuity. When such monstrous claims were made by private bankers it behoved the Committee to be careful not to admit any continuing right or claim; and so strongly did he feel this that he hoped the Chancellor of the Exchequer would alter the wording of the clause by omitting the words "statutory right," and inserting "statutory power of issue," as it was not a statutory right but only a statutory power. He trusted the right hon. Gentleman would not agree to the entangling language of the hon. Gentleman opposite. If he did, it would be the duty of the House at the next stage of the Bill to give it every opposition.

THE CHANCELLOR OF THE EXCHEQUER said, he was very anxious to narrow, as far as in his power, the ground of the present discussion, and to avoid including many controverted matters it might possibly be their duty to enter on and deal with somewhat largely on a future stage of the Bill. He entirely agreed that very wide issues indeed, and questions of far greater importance than the comparatively limited provisions of this measure, were involved in many of the transactions which had taken place respecting it. But, feeling the importance of these issues, he was very anxious not to anticipate the discussion of them, and thus lead to difficulty or dispute. While he had heard with great satisfaction the speech of his hon. Friends the Members for Warwick (Mr. Greaves) and the Tower Hamlets (Mr. Ayrton), and others, some things had been said which it was necessary he should notice. He was bound to repudiate in the strongest terms the declaration of the hon. Member for Leicester (Mr. Heygate)—that he did not conform to the spirit of his arrangement with the private bankers. A more groundless charge had never been made, and if an alteration was made in the form of the Bill, that alteration was much more due to the hon. Gentleman himself than to him. He would now deal with the Motion of the hon. Gentleman (Mr. Cobbold), and he must give a very different account of what took place in Committee from the extraordinary narrative of the hon. Member. If ever there was a Committee in which, though the Gentlemen present were comparatively few in number, all were interested in the subject-matter of discussion, paying attention to every word that was uttered, and to all appearance perfectly masters of the whole question, it was that Committee. It was therefore astounding to hear the hon. Gentleman, himself a country banker, and appearing there as the representative of a portion of that most intelligent body of men, declaring that the whole affair was so confused that he did not know what was going on. He was reminded by some who took part in the discussion that he had himself been careful to read every word of the Amendment before putting it into the hands of the Chairman. It was of no great length; the words

were as clear as they could be, and afterwards it was again read by the Chairman in the clearest manner possible. Now he must say a few words with regard to the history of the substance of this measure. But first of all he must on the part of that House enter a protest which, at some period or another, it might be necessary more largely to explain, with respect to the tone which from circumstances they were obliged to adopt with reference to the country bankers. It might really be supposed that Parliament was a body whose business it was mainly to guide legislation in respect to private issues by considerations of the interest and views of that body of gentlemen. Now, that was an assumption to which he must altogether object. He asserted most unreservedly the supreme authority of Parliament to deal with this question of issue, not as a private right, according to the astonishing doctrine which had been suggested, but simply on principles of public policy and justice tempered, as these were in the action of Parliament, by regard to the fair and equitable claims of individuals. When this Bill was introduced he found himself at once placed in communication with a body known as the Committee of the Association of Country Bankers; and he found on the part of that body, in the first instance, a very great apprehension with regard partly to the direct and partly to the indirect effects of the measure. He found also, he was bound to say, not only the greatest intelligence and the highest honour, but likewise, as he thought, a spirit of prudence and moderation by which alone in a country like this such questions could be adjusted. There was on their part a great anxiety to avoid the evils which they were inclined to anticipate from the indirect effects of the enactments of this Bill. They said they feared the Bill might be considered as involving a new legislative declaration that private issues were to be extinguished, and that they would be extinguished at the time to which the Bill pointed. He stated with respect to private issues what he believed and what Government believed to be the evident sense and intention of the Act of 1844. He would not repeat it now; it had been several times referred to in the debate; but he also stated this—that they did not seek to obtain any new legislative declaration on the subject by the present Act, but left the principle of private issues precisely as it stood under that Act. Then he was asked whether it was intended at the close of the term proposed by the Bill that the issues affected by the Bill should necessarily lapse and come under the operation of the Act of 1844. He replied that what appeared to the Government wiser was that they should cease to exist on their present footing—that he did not seek to obtain a declaration from Parliament in 1865 as to whether it would or would not in 1879 allow these issues to pass over to the Bank of England or recognize the continuance of them in the hands of local agents; but what the Government did seek was to put an end, as far as these notes were concerned, to what might be termed a Parliamentary monopoly, under which a privilege was secured to particular parties by a certain statute, for he agreed with the hon. Member for the Tower Hamlets (Mr. Ayrton) that it was a statutory power rather than a right, under which paper money passed from hand to hand through the country for the benefit almost exclusively of private individuals, and without that security to the note holders which under any just and sound system ought to exist. There was a perfect understanding between the Committee and himself as to the aim and contemplation of the Bill. It was then requested that he would introduce into the Bill a notice to be given to the parties in order that preparation for the change of the law might be made. It was represented that that notice would be of the greatest convenience to the parties, because if that were not given they would not be aware what the question was in the view of the Government, whereas if it were they could make their own preparations. Words were introduced into the Bill providing for such a notice, and these words were in a conditional form—that if notice should be given then such and such results should follow; and it was perfectly understood that the words were never intended to countenance private issues on their present footing. He would now come to what took place on going into Committee. What took place in the Committee was this. On the eighth clause he stated to the House that the conditional words were not intended to continue private issues on their present footing. Those conditional words were adopted exclusively on the ground that it was not usual to lay down in statutes by authority of Parliament any direct enactment fettering the future discretion of Gvernment. On that occasion Member after Member rose from behind these Benches, from below the gangway, and from the opposite side of the House every one of them agreeing upon the very form of the Amendment then introduced. Among hon. Members opposite who advocated that view he might mention the hon. Member for Buckingham (Mr. Hubbard) and the hon. Member for Stamford (Sir Stafford Northcote). The hon. Member for Leicester (Mr. Heygate), himself a country banker, remained silent in his place, and by that very silence consented to the suggested alteration. It would have been totally impossible for him to have resisted the authority of the Whole House of Commons, especially as those who might reasonably be supposed to be most interested remained perfectly silent while this pressure was brought to bear upon him. If he had divided the House, he would not say that he would have gone into the lobby alone, but he would certainly have been accompanied by a minority, and that a reluctant one; and therefore he had deferred to the wishes of the House, in respect to what really amounted to little more than a verbal alteration. In one sense the words might be an improvement, but in another they were not, because it was not usual with the Legislature to put mandatory instructions into a Bill of that kind. He found, however, that in the minds of many with whom he communicated there existed apprehensions, and honestly entertained, as to the effect of the change which had been thus unanimously adopted in the presence and knowledge of Gentlemen themselves connected with country banking, and those apprehensions he felt it his duty to remove. It was stated to him that the alteration conveyed the impression of an absolute declaration on the part of Parliament that at the end of the specified term of years the power of issue should be extinguished so far as those banks were concerned. The words, therefore, which he had now to propose for insertion in the preamble were as follows:—

> "And to fix by law a time whereat the present statutory right of issue on the part of bankers obtaining such exemption shall determine, in order that either their issues may become subject to the enactments of the Bank Act of 1844, hereinafter mentioned, in respect to lapsed issues of bank notes, or that Parliament may make further provision concerning them as it shall think fit upon grounds of public policy."

In his opinion it was no part of their duty at that time to enter into any consideration as to what might be right as between those two questions, either as to the mode of placing them in the hands of a central issuer, or giving the right to the public as opposed to monopoly. He had been complimented by an hon. Member in the course of this debate upon the patience which he had exhibited in connection with this question. He might safely say that he grudged no sacrifice of time if such a sacrifice could by any means tend to advance Parliament towards the attainment of a sound system, which they certainly at present did not possess. He had, therefore, trusting to the patience and the indulgence of the House, made it his duty to make or accept any suggestions which might be received without detriment to that object. He must say that the proposal of the hon. Member for Ipswich (Mr. Cobbold) appeared to him to be made for the express purpose of introducing vagueness and uncertainty into the provisions of the Bill. It was partly the fault of the hon. Member himself that the clause had been altered—for if those Gentlemen who now regretted that alteration had only on the former occasion risen in their places, and said that they preferred the original words, he should have stood by them. He might, however, say that if these discussions had led to the disclosure of a latent impression that those conditional words would be the means of utterly nullifying the intentions of the Bill, he could not help feeling that it was exceedingly satisfactory that that impression had been brought to light.

Mr. HEYGATE said, he did not rise to support the proposition of the hon. Member for Ipswich (Mr. Cobbold) because he felt bound in honour to abide by the decision which had been come to on the matter. His recollection of what took place in the Committee differed from that of the right hon. Gentleman, and he must say that the statement of the right hon. Gentleman was a most extraordinary representation of very simple facts. Now, what was the history of the clause which had been amended so many times? He would venture to remind the right hon. Gentleman that he had agreed to a certain form of words upon the 10th of April, but that the country bankers and the public found, upon the printing of the clause, that the form so agreed upon had not been adhered to.

The CHANCELLOR of the EXCHEQUER said, he must deny that any such agreement had been made.

Mr. HEYGATE said, he had a printed tasement to the effect that such an agreement was arrived at. Upon May 1 the House went into Committee upon this Bill, and for his silence upon that occasion he wished to give some explanation. He was at that time ignorant of his position as a country banker in reference to this Bill. He had taken no part in the discussions of the country bankers when they proposed a modification to which the Chancellor of the Exchequer assented, but he disliked the Bill from the first, and felt himself to be free to oppose it. The feeling of the country was not, as the hon. Member for the Tower Hamlets (Mr. Ayrton) seemed to think, hostile to the bank issues, and in that House, beyond the hon. Gentlemen who were called "the Members for the Bank of England" (Mr. Goschen, Mr. Thompson Hankey, Mr. K. Hodgson, &c.), who sat behind the Chancellor of the Exchequer, the hon. Member for Buckingham (Mr. Hubbard), and a few currency doctors, he did not believe that this measure for extinguishing those issues had any supporters. The first result of the agreement between the bankers generally and the right hon. Gentleman was the issue of a circular announcing the withdrawal of all further opposition. He, believing himself to be free to act as he pleased, came down to the House and made some observations on the scope of the measure before going into Committee, but when the Bill had got into Committee he did not care what was done with it, as he regarded the proposed legislation uncalled for and of no advantage to the public. He did not feel himself called upon to keep the Chancellor of the Exchequer to his engagement. The right hon. Gentleman upon that occasion ought to have told the Committee that his was an important Amendment, part of a solemn arrangement, upon the faith of which opposition to the Bill had been withdrawn. That, however, was not done, and the Bill passed into Committee. He admitted that he had been culpable in one respect, that he had not previously exactly ascertained the extent to which he was bound by the Bankers' Association; but feeling now that, although not present, nor taking part in the arrangement, he was bound by it, he should not seek to repudiate it. He would remark, however, that the modification proposed in this clause must be an important alteration, whatever might be the exact meaning to be put upon the words, or the opponents of the country issues would not be so eager for the clause in its altered form, and in any case the Association of Bankers were entitled to the letter of their bond upon the faith of which they withdrew their opposition. With respect to what had fallen from the hon. Member for Oxford (Mr. Neate) he must say that he had never claimed for the country issuers an indefeasible right to issue notes. All he had ever said was that he believed it was a privilege which had endured for a long time, which had not been abused, which was appreciated by the public, and which it was not necessary to destroy. The question was one surrounded by difficulties, and before the system was disturbed the whole subject should be fully and maturely considered, and not dealt with in the present fragmentary manner. He repudiated the doctrine that this privilege gave the issuers the power to tax the public, and was strongly of opinion that the Bill was an unnecessary unsettlement of a state of things which was beneficial to and approved by the public.

THE CHANCELLOR OF THE EXCHEQUER said, he wished to say a word or two to vindicate himself from a charge of having broken faith.

MR. HEYGATE said, he assured the right hon. Gentleman he did not intend to impute to him any breach of faith. What he had stated was that somehow or other, accidentally or otherwise, the clause was not printed in the shape it was agreed on between the committee of bankers and the right hon. Gentleman.

THE CHANCELLOR OF THE EXCHEQUER said, the hon. Gentleman might not have meant it, but in a former speech he made the charge. The hon. Gentleman seemed to think that he (the Chancellor of the Exchequer) ought to have told the Committee that this was an important Amendment and alteration proposed in consequence of a solemn compact, and that if it were not agreed to he must withdraw the Bill. But his own distinct opinion when the Bill was in Committee was, that there was no difference substantially between the form of words urged by the majority of hon. Members and that agreed on with the Bankers' Association, and for that reason he had not felt it right to insist upon the latter.

MR. HENLEY said, the House had some reason for not being quite satisfied with the way in which this question had been dealt with, for the Bill in a great degree had been worked outside the House. They were placed in this position, that a certain kind of engagement had been come to of which the House knew nothing. The House, of course, had a perfect right to deal with that agreement as it pleased, and it was for the Government to abide or not by the agreement as it thought fit. It was clear from the alterations now proposed that the Chancellor of the Exchequer had some such feeling.

THE CHANCELLOR OF THE EXCHEQUER said, he proposed the alteration to satisfy apprehensions honestly entertained by many respectable gentlemen.

MR. HENLEY said, he presumed that the Bill was re-committed in order to make some alteration in the construction of the Bill. It appeared to be purely a struggle between the bankers on the one side and the hon. Member for the Tower Hamlets (Mr. Ayrton) on the other to try whether they could get some curious sort of word in or out of the Bill which might in some way or other fetter the action of Parliament fourteen or fifteen years hence. It would be much better to let the Chancellor of the Exchequer cook the Bill that night as he chose, and then let it be printed, that the country might see what it was like. The "sons of Zeruiah" were quite strong enough to take care of themselves. The House, of course, had nothing to do with the negotiations which had taken place, and was perfectly free to do what it thought best for the country; and it might be a matter for grave consideration whether it would not be the best thing to kick the concern out altogether.

MR. ROEBUCK said, he thought that the right hon. Gentleman (the Chancellor of the Exchequer) had taken the House rather by surprise. It was not within the memory of man that a great interest like the banking interest should be dealt with so suddenly without some sort of previous inquiry. He would appeal to the right hon. Gentleman the Chancellor of the Exchequer whether so large an interest as the bankers issuing private notes should be dealt with without inquiry by that House. He knew the great power of the right hon. Gentleman, but he did not think the people of England would be perfectly satisfied with his power or his intelligence without full evidence and information being given about this matter. He was told that the sudden restriction of the issues of the private banks at the end of fifteen years would act as a restriction on the mercantile and manufacturing interests of the country. In the town which he represented there were three banking establishments, and at the end of fifteen years there would be an end of them. [The CHANCELLOR of the EXCHEQUER made a gesture of dissent.] The right hon. Gentleman might shake his head, but he had seen a great many heads shaken on the Treasury Bench. For instance, Sir Robert Peel shook his head when he told him that the increased tax which he was imposing would last his lifetime. At the end of fifteen years the issue of these banks would be at an end. [The CHANCELLOR of the EXCHEQUER: Certainly; but you said the banking establishments.] The issues, of course, was what he meant. These banks did their business among people whom they knew, and on a different system from that of the Bank of England, which the right hon. Gentleman wished to introduce. He knew the centralizing propensities of the right hon. Gentleman, and his wish to get rid of the private banks. The measure would give power to the central Government, of which the right hon. Gentleman hoped to be a Member for a long time hereafter, and he hoped he might be. Such a great change as this ought not to be made without inquiry, on the mere authority of the right hon. Gentleman. The great majority of the banks were against the Bill. The right hon. Gentleman had had communications with the Bankers' Committee, the remnant of the Committee appointed in 1844 consisting of four bankers, but that Committee was repudiated by the bankers, and that very day the bankers of the North had held a meeting, at which they had come to a unanimous resolution to oppose the right hon. Gentleman's Bill. The right hon. Gentleman had no authority to pass such a Bill, and he hoped it would not be passed without inquiry.

MR. GOSCHEN said, the hon. and learned Gentleman seemed to have overlooked altogether the fact that this was a permissive Bill. If the bankers of the North thought it was not for their interest they might reject it, and leave the bankers of the South to reap all the advantages of it. If the right hon. Gentleman had introduced a compulsory general measure then there might have been some force in the hon. and learned Gentleman's arguments that it ought to be preceded by a most careful inquiry. It was said that this Bill was intended to abolish private issues altogether, but there was a great deal of confusion between putting an end altogether to private issues and putting an end to them on the footing on which they were at present. Many Members on both sides of the House believed that the footing on which the private issues stood was unsound and might be very much improved, and there was no reproach in wishing to improve what was unsound. He did not wish to pledge himself to the opinion that private issues ought to be altogether abolished; that would be a fair subject for future consideration; but he saw no reason why they should not in the meantime endeavour to remedy an acknowledged evil. Many people seemed to labour under the impression that by that Bill some special advantage was to be secured to the Bank of England. But he believed that was an entire misapprehension. The Bank of England would derive no benefit, either present or prospective, from the operation of the measure. It should be remembered that there existed this difference between the Bank of England and private issuers, that the Bank issued on the security of deposits; that it paid a portion of its profits to the State, and that it published a weekly statement of its accounts. He would ask the representatives of the bankers whether they would submit to the same conditions; and if they did, then he would be prepared to say that their business was conducted upon a sound footing. At present, however, they enjoyed a monopoly, and that monopoly, he thought, ought to be abolished in order that the entire system should be recast. What object was to be achieved by substituting the word "may" for "shall" he could not see. Foreigners never could understand the distinction between our "shall" and "will," and now the House was to be told that "may" and "shall" was practically the same.

MR. CLAY said, he thought the Bill had got into that unfortunate state which the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) was in the habit of calling a "brangle." He was opposed to interfering with the complicated machinery of the banking of this country unless he heard of a proved grievance, and in this case he had heard of none. The Chancellor of the Exchequer had spoken of the negotiations between himself and a committee which he said he had every reason to believe represented every country bank in England. It appeared, however, that the majority of the bankers, as soon as they heard of the agreement come to between the committee and the right hon. Gentleman, said that in coming to that agreement the committee had acted *ultra vires*, as it had not been authorized to make any terms, but simply to see the right hon. Gentleman with the view of inducing him to withdraw the Bill. However, that was now beside the question, for the agreement entered into with the committee had not been kept. If he were to offer any advice to the hon. Gentlemen who were taking an active part in opposing this Bill, he would tell them not to be introducing a new difficulty by moving an alteration of "shall" into "may" but to move the rejection of the Bill on the third reading.

Mr. PAULL said, he wished to correct a mistake into which the hon. and learned Member for Sheffield (Mr. Roebuck) had fallen with regard to the Bankers' Committee which had negotiated with the Chancellor of the Exchequer. The remnant of the Committee of 1844, to which he had referred, had resigned, a new Committee had been formed, and he believed that that Committee which had been in communication with the Chancellor of the Exchequer had in no way exceeded the powers with which they had been invested. The history of that Committee was as follows:—At the general meeting of the country bankers a Committee was appointed, consisting of six gentlemen who represented the private banking interest, and of six others who represented the joint-stock interest, and he did not think it would be possible to constitute a Committee with more formality and regularity. The meeting consisted of between seventy and eighty country bankers, and the Committee was empowered to communicate with the Chancellor of the Exchequer in order to obtain certain Amendments in the preamble of the Bill, and the substitution of the word "may" for the word "shall." So desirous was the Committee to discharge its duty and arrogate no power to itself that notice was sent to the country bankers, which gave them time to appear in person or to state by letter whether, in their opinion, the proposed Amendments ought or ought not to be adopted. The Resolution was formally carried, though by a small majority no doubt; but it had the authority of the Association, and it was as binding as if all the members of the Association had been present. Therefore, the Committee, having been appointed to discharge certain duties, entered into an engagement with the Chancellor of the Exchequer, and the majority having passed that Resolution, they ought to abide by the engagement with the right hon. Gentleman. The hon. Members for Warwick and Leicester (Mr. Greaves and Mr. Heygate) had stated that they felt bound to abide by that engagement. He thought that if any attempt were made to defeat the Bill on the third reading every hon. Member ought to know what had taken place on the occasion to which so much reference had been made.

Mr. Alderman SALOMONS said, he wished to ask whether he should be in order in calling the attention of the Chancellor of the Exchequer to Clause 5, which assumed that as the law now stood there could be but six partners in a bank of issue. In point of fact, by an alteration in the law two or three years ago, the number of partners permitted in a bank of issue or not of issue was increased to ten.

The CHAIRMAN said, that as the Bill had been re-committed on Clause 8 and the preamble only, the hon. Member could not refer to any other clause.

Major WATERHOUSE said, that as one of the members of the Committee of Bankers he had entered his protest against the Resolution referred to, and therefore he felt himself at liberty, notwithstanding what had been said by the hon. Gentleman (Mr. Paull), to adopt any course he might see fit in reference to the question now before the House. He totally dissented from the statement made by the Chancellor of the Exchequer as to what occurred the other night when the alteration was made in Clause 8. He had not been present the other evening during the discussion; but he was informed that the Chancellor of the Exchequer had at once assented to the alteration suggested by the hon. Member for the Tower Hamlets (Mr. Ayrton) without referring the matter to any other party. Hon. Members on the Opposition side of the House had kept silence because they thought themselves safe in the hands of the right hon. Gentleman, and therefore it scarcely became him to reproach them with not having stood up in their own defence. The Bill had become greatly involved and inextricably confused, and the country bankers must now oppose it most strenuously. When it came on again for discussion next week he hoped that the country bankers would meet it with one unanimous burst of opposition. At the present moment, however, no purpose would be served by the Amendment of the hon. Member for Ipswich (Mr. Cobbold) being pressed, which should be withdrawn.

MR. COBBOLD said, he would assent to the suggestion which had been made that he should withdraw his Amendment, but in doing so he would state that because he was present and silent on a former occasion it did not make him an assenting party to the proceedings; and he would also state that he was justified in having given notice of this Amendment. He would take the opportunity of correcting a misunderstanding which appeared to prevail as to the grounds upon which a large proportion of the country bankers opposed the Bill. In no instance had any advocate of their claims put forward those claims as a right, but simply as a matter of public policy. When the Bill again came on he should move the insertion of the words, "Shall be determined."

Amendment, by leave, *withdrawn.*

MR. HEYGATE moved to amend the clause by substituting the word "may" for "shall" in line 2, and that the Bill be re-committed for the purpose.

THE CHANCELLOR OF THE EXCHEQUER said, he did not object to the proposed Amendment.

Amendment *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

Preamble.

THE CHANCELLOR OF THE EXCHEQUER moved to insert after the word "mentioned," the words—

> "And to fix by law a time whereat the present statutory right of issue on the part of bankers obtaining such exemption shall determine, in order that either their issues may become subject to the enactments of the Bank Act of 1864 hereinafter mentioned in respect to lapse issues of bank notes, or that Parliament may make further provision concerning them as it shall think fit upon grounds of public policy."

MR. COBBOLD said, he wished to suggest that instead of "shall determine" the words should be "shall be determined."

THE CHANCELLOR OF THE EXCHEQUER said, he must decline to accede to the suggestion, because the adoption of that form of words would imply that the rights were not terminable at the present moment.

MR. ROEBUCK said, that the words of the preamble were no part of the Act.

THE CHANCELLOR OF THE EXCHEQUER said, that according to that argument you might insert words in the preamble which were merely nonsensical. [MR. ROEBUCK: You may.] With great submission he had understood— [MR. ROEBUCK: You are wrong.] He had not the prevision or second sight of the hon. and learned Gentleman, who declared that he was wrong before he had heard what he was about to say, but he had always understood that though the words of the preamble are not efficient to alter existing laws the preamble sometimes was consulted in order to arrive at the true construction and intention of a statute.

MR. ROEBUCK said, that he spoke as a lawyer, and lawyers always held that the preamble had nothing whatever to do with the enactment.

MR. J. J. POWELL said, that if the words of a clause were clear and unambiguous it was not necessary to consult the preamble, but if there was any difficulty as to the interpretation of a clause, lawyers invariably resorted to the preamble in order to ascertain its true construction.

Amendment *agreed to.*

Preamble *agreed to.*

House *resumed.*

Bill *reported*; as amended, *considered*; to be read 3° on *Thursday* next.

FIRE BRIGADE (METROPOLIS) BILL.

[BILL 153.] SECOND READING.

Order for Second Reading read.

MR. T. G. BARING, in moving the second reading of this Bill, said, that in 1862 a Select Committee of that House was appointed to inquire into the existing state of legislation with respect to and into the existing arrangements for the protection of life and property against fire in the metropolis. The Report of the Committee first made it generally known to the public that the London Fire Brigade engines which were to be seen attending all the fires in the metropolis were considered to be connected with the Government, or with the municipal authorities, had, in fact, no official *status* whatever, but that the Brigade was merely an arrangement originally instituted by one insurance company in the metropolis, and subsequently carried on by other companies for the protection of their own interests; so, however, as also to render assistance in the protection of life and property against fire, without reference to whether it was insured or not. The Select Committee made it clear that this establishment was, as regarded its staff, engines, and stations, wholly inadequate for the efficient protection of the entire metropolis and the suburbs. They said in their Report—

> "The present scale of staff engines and stations is utterly inadequate for the general protection of London and its vicinity from fire. This is admitted by the managers of the brigade, but as they consider it efficient for the protection of that part of London where the largest amount of insured property is located, they have no desire to add to their expense by placing additional stations in situations where, if a fire occurs, it is not likely to cause so much injury to the offices as if it occurred in the water-side, or warehouses in the City."

This being so the Committee directed their attention to find a substitute for that state of things. They made three recommendations. First, that a fire brigade should be formed under the Commissioners of Police, on a plan to be approved by the Home Office, and that the Act requiring parishes to maintain engines be repealed; secondly, that an account of the expenditure should be annually laid before Parliament; and thirdly, that the area of the new fire brigade should be the same as the area of the jurisdiction of the Metropolitan Board of Works. After that Report it became clear that the Government must deal with the matter; and that it was thenceforth impossible that it should be left in the hands of insurance companies, who might at any time abandon their brigade. Indeed, in 1862 the companies gave notice to the Home Secretary of their intention to abandon it. The sum necessary to maintain the brigade had risen from £8,000 to something like £25,000 per annum, and they considered that it might be better for them to abandon the brigade and to raise the rate of insurance if necessary rather than to continue so large an outlay. Negotiations had taken place between that time and the present, between the Home Secretary, the companies who maintained the fire brigade, and the Metropolitan Board of Works, and these negotiations had resulted in the Bill which he now asked the House to read a second time. The Bill was founded upon a very careful estimate of the expense required in order to have a really efficient fire brigade for the district, under the jurisdiction of the Metropolitan Board of Works. The Secretary of State had placed himself in communication with Captain Shaw, the chief officer of the Fire Brigade, and the result of the communication with him and with the insurance companies was that a scheme for the protection of the metropolis from fire, at an expense of £50,000 per annum, was formed, and received the concurrence of the insurance companies. The next point was how the £50,000 per annum should be raised, and the basis of the arrangement contained in the Bill was that a rate not exceeding a half penny in the pound should be raised within the metropolitan district, and at the same time that the Act of 14 *Geo.* III., under which parishes within the weekly bills of mortality and also some others in the metropolitan district were bound to keep fire-engines in a state of efficiency should be repealed. Most parishes had not complied to the full with the Act. No doubt they relied to a very great extent upon the London Fire Brigade; but if they had complied with the provisions of the Act they would have had to raise their expenditure far above what it was at the present moment. Added to this, it was obvious that a number of detached fire-engine establishments belonging to parishes in different parts of the metropolis must be far less efficient than one establishment, able to concentrate all its force upon any one fire which should require a great force to extinguish it. The small additional rate which would be put upon parishes would be compensated, therefore, by relieving them from the statutory burden which they now bore. The Committee of 1862 said that one parish—that of Hackney—kept up a very efficient fire-engine, in accordance with the statute of George III., and that the cost of that fire-engine was £500 per annum, which was precisely a halfpenny in the pound upon the rating of the parish. The same would happen in other parishes if they carried out the statute, so that they would thus incur a burden of a halfpenny per pound, the same as was proposed to be placed upon them by this Bill. The second source from which the £50,000 per annum would be made up was a rate of £35 per million upon the amount of insurances in London, which sum the insurance companies would pay. The Bill proposed that this rate should be levied upon all the London insurance offices. He believed that there were one or two of these which had not contributed to the maintenance of the brigade; but it seemed to him quite fair that those offices should pay the same as the others. The third source of income for the maintenance of the new fire brigade would be a sum of £10,000 yearly, an amount which the House had already voted out of the Consolidated Fund, as a contribution in aid of the brigade. Some discussion had taken place in Committee upon that Vote; but he thought that the Committee were satisfied that the large amount of Government property in the metropolis made it proper that they should contribute to the fund out of the public revenue. One of the great deficiencies of the present fire brigade was its want of strength upon the river Thames. At present they had only one efficient and one inefficient engine upon the river; but under the new arrangements there would be three efficient engines there, and if the House would consider the amount of Government property upon the banks of the river they would feel that the £10,000 a year was not too much for the Government to contribute. At Deptford there was the Victualling Yard; at the Tower, the War Office Stores; and there were also the Custom House, Somerset House, the Government of India Stores near Hungerford Bridge, the buildings at Whitehall, the Houses of Parliament, Millbank, the Clothing Stores at Pimlico, and the Barracks and Hospital at Chelsea. Then as to the property of the Government not upon the banks of the river. There would be new fire stations at Woolwich, Greenwich, near the British Museum, Temple Bar, St. James's Palace, Buckingham Palace, Kensington Museum, and Chelsea; so that great protection would be afforded by the new brigade to Government property throughout the metropolis. It was proposed that the Metropolitan Board of Works should undertake the management of the Brigade. It was perfectly true that the Committee of 1862 proposed that the fire brigade should be placed under the Commissioners of Police; but, upon considering the subject, it appeared to the Secretary of State for the Home Department, that it would be preferable, as a matter of principle, that the new brigade should be under the Metropolitan Board of Works. The brigade was to be supported by a rate extending over the metropolitan district; and it would seem that the advantages of putting the brigade under the control of the Commissioners of Police were not so great as might at first sight appear, for those serving in it required a greater amount of training than the ordinary policeman, as well as training of a different description. It must also be borne in mind that the proposed area was identical with that one over which the Metropolitan Board of Works exercised jurisdiction, while it was not identical with that under the control of the metropolitan police, which did not embrace the City of London, from which representatives were sent to the Metropolitan Board. There was another point alluded to by the Committee upon which he wished to say a word. In the city of Manchester the fire brigade was maintained partly out of the police rate, and partly by fines levied upon persons who had fires upon their property. The Committee considered the propriety of levying these fines, but they came to no conclusion upon it. It appeared to him, however, that as the fire brigade was to be principally maintained by a rate it would be very hard that those whose property happened to be on fire in addition to the rate should pay a further tax, and that at a time when they could perhaps least afford it. There was another strong reason against imposing this fine. A most important thing for securing the extinguishing of fires was that there should be no concealment; that so soon as a fire broke out there should be no scruple in at once calling for the assistance of the brigade to put it out. Imposing a fine, however, gave great inducement to conceal fires in the hope of extinguishing them without calling for aid. He could quite understand that the insurance companies should be anxious that the system of fining should be adopted, because it tended to increase insurances. There was only one other point which he would notice, and that was the clause with reference to fire-escapes. It was proposed to give the Metropolitan Board of Works power to make arrangements for having fire-escapes. He believed that the Royal Society for the Protection of Life from Fire deserved every credit for the manner in which they had placed fire-escapes in different parts of the metropolis. It was far from the object of the Government to interfere with them by the present Bill. Still it was a work which probably could be more efficiently and economically carried out in connection with the fire brigade. Therefore it would have been satisfactory to the Government if they could at the same time have placed fire-escapes under the same management as the brigade, and thus have relieved a volunteer society from the performance of this duty.

Unfortunately the £50,000 a year was only sufficient for the maintenance of an efficient fire brigade, and insufficient to make fire-escapes part of the system. However, the rateable value of property in the metropolis would of course increase, and possibly the number of insurances would increase in consequence of recent legislation, and, therefore, it might be in the power of the Metropolitan Board of Works, in a few years time, to take fire-escapes under their charge. This being so, power was given by Bill to the Metropolitan Board of Works to purchase or take, in such form as they might agree with the Royal Society, their plant and staff of fire-escapes. He proposed, also, to insert a proviso to enable parishes—as he believed it was the wish of many of them to do so—to continue their contributions in aid of the Royal Society for the Protection of Life from Fire. It would be necessary to add certain words at the end of Clause 30 to enable this to be done. He felt that the object of the Bill was one of very considerable importance. The property in the metropolis was estimated at £900,000,000, and there were over 1,400 fires in the year, or about four every day. This showed the importance of establishing a proper and efficient brigade. There were as many fires in the metropolis as in Paris, St. Petersburgh, Vienna, Berlin, New York, and Philadelphia, put together, and they had increased from 438 in the year 1833 to 1,400 last year. Although, therefore, the existing fire brigade had given the greatest possible satisfaction to the public, although it had been commanded by one so highly respected as Mr. Braidwood, and was at present under the orders of Captain Shaw—an officer who had fully upheld its high position, and whose services he hoped and understood would be continued under the new system—being yet a force which was maintained exclusively by the insurance companies, and might at any moment be dissolved by them, it was of the utmost importance to establish a fire brigade of a permanent character. He hoped the House would agree to the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. T. G. Baring.*)

SIR WILLIAM JOLLIFFE said, though he approved of the scope of the Bill which had been very clearly stated by the hon. Member, he had doubts upon the manner in which the brigade was to be managed. They were about to cast another tax upon the ratepayers of the metropolis, and to relieve the wealthy and enterprizing body of the insurance companies at the expense of the public. Now, some doubts might arise as to whether there ought not to be some provision introduced into the Bill to make those companies contribute to some extent to the maintenance of that which they themselves had hitherto maintained at their own special cost. The Metropolitan Board of Works were not a body sufficiently long in existence to be intrusted with the management of this brigade. Nothing analogous to such a body had the charge of putting out the fires in any foreign metropolis, but the Government themselves attended to the matter. The Board of Works acted as a sort of independent and not very business-like body, which professed to manage its affairs in a manner not known to any Department in the State, and, perhaps, the result of the transfer to them of these new duties would necessitate a series of *dejeuners* and dinners. Sewers such as they had constructed were no doubt great works, well worthy of admiration, but whether it was desirable or necessary to provide breakfast for 800 persons at £1 5*s.* or £1 10*s.* a head on the occasion of the opening of those works—an expense which must eventually be levied on the ratepayers—he felt himself unable to determine. Such a course of conduct made many wish that the Board should become more a part of the local system before fresh powers were placed in its hands.

MR. AYRTON said, he had to express his satisfaction at the introduction of the Bill. He regretted to find that any person in that House should suggest as a defect in the measure the proposal that the administration of that which was purely a local matter should be confided to those who had been specially charged by Parliament with the conduct of the local affairs of the metropolis. He thought that the reasons assigned by the Under Secretary were conclusive against any attempt to place the administration of the fire establishment in the hands of the police. Formerly, every parish was supposed to provide machinery for extinguishing fires within its own area, but, practically, the parishes were the very worst authorities to whom this duty could be intrusted. The jurisdiction, therefore, had been replaced by another as completely as steam fire-engines replaced the hand-pumps of former times. The re-constitution of the system for putting out fires in the metropolis was a consequence of the re-construction of the body who managed metropolitan affairs. But as they were about to embark on a more efficient and extensive fire brigade, they ought to consider how the great expense was to be raised. The expense was estimated at £50,000 a year, but it must be more than that if the brigade was to be efficient. It was said that there were £900,000,000 of consumable property in the metropolis, but that was an extravagant estimate, and half the amount would probably be nearer the truth. The exact sum insured at £35 per £1,000,000 would not produce more than £10,000 a year, so that they were going to relieve the insurance companies of a sum of £15,000 a year. If the charge were simply put upon the capital insured, the property creating great risk would only be charged at the same rate as that which created no risk at all. The proper mode of computation was by a percentage on the premium paid, and then every person would pay according to the risk he occasioned. But then it was said that by adopting such a principle the provident man alone paid, while the improvident man escaped. He entirely subscribed to this objection. If they wanted to raise a fund by taxing combustible property, it ought to be imposed equally and alike on that which was and that which was not insured. In this point of view the measure was at variance with the views accepted by the House in the last Budget, and which had now become part of their fiscal system. The Under Secretary for the Home Office (Mr. T. G. Baring) objected to a scheme of payment which would include both insured and uninsured property, because he said if a fire broke out in the house of a man who was not insured he would conceal it instead of raising the alarm. It was difficult to say what a man would do under such circumstances, but the House ought to consider what was just to all classes of the community, and if a man were fool enough to let his house burn down rather than communicate with the nearest fire brigade station he ought to be allowed to do as he pleased. Manchester, which had an admirable brigade, had set a wise example, and one which ought to be followed. When a fire took place in that city the person in whose premises it occurred was compelled to pay a considerable sum as a contribution towards the fire brigade, whether he was insured or not. Instead of the Bill having in it a clause imposing a penalty of £1 whenever a chimney was on fire, there should be a well-considered scale of payment to be made in case of fire by the owner or occupier of the property, not as a penalty, but as a sum that he might be legitimately called upon to pay for the assistance he received from the fire brigade. If the rule prevailed in the metropolis the contributions would be repaid by the person in whose premises the fire occurred out of the money paid by the insurance company. [An hon. MEMBER: How can he pay it if his house is burnt down?] He did not know. How could the man rebuild his house? The very fact that he would be called upon to pay a contribution to the fire brigade would induce a man to insure. If 1,400 fires took place every year, a sum of £8,000 or £10,000 might be raised in this way without oppressiveness to any one. He hoped it would be understood that the Parliamentary Vote would not be withdrawn. In making an arrangement of that kind some distinct guarantee ought to be given that this payment was to continue, or otherwise some gentleman from the country might one day raise an objection, the Vote might be dropped, and the metropolis might be left without the money. As to the rate, it must be borne as inevitable, although it was not of the most just character, because it was only on the house and not upon the goods contained in it, so that the valuable goods in a warehouse would pay nothing, although the building was the least feature of the risk, and that for which the fire engines were of the least possible use. That was a difficulty which the House would have to meet sooner or later; but there were besides that several of the details which must be carefully considered when the Bill was in Committee.

MR. BLACKBURN said, he did not agree with the idea of relieving those who had no fires at the expense of those who had the misfortune so to suffer. He objected strongly to the proposed payment by the Government of £10,000 a year, as it was a local question, and ought to be met by a local rate. In all these matters relating to the metropolis there appeared to be a vital error. It was thought that because it was the metropolis it ought to have support from the public revenues; but there was not a city in the realm that would not be happy to give something to have the Government establishments there. The Government proposed to contribute one-fifth of the expenses of the new brigade, but the value of the Government buildings in the metropolis was not nearly a fifth of the value of all the buildings in the metropolis. Therefore the Government, at the expense of the country generally, would contribute by far too largely to the support of the brigade. Let the Government property pay this rate like all other buildings in the metropolis, but do nothing more.

Mr. VANCE said, that as a Member of the Select Committee that sat on the subject of the Fire Brigade, he wished to observe that he did not complain of the scheme which the Government had proposed, though he thought it strange that they should have entirely contravened the Report of the Committee. The Committee unanimously recommended that the brigade should be placed under the control of the police authorities; but though there were two Members of the Government on the Committee, they put no questions, nor examined any witnesses with a view to show that it was desirable that the brigade should be put under the direction of the Metropolitan Board of Works. The hon. Member for the Tower Hamlets (Mr. Ayrton) had alluded to the excellent way in which affairs were managed in Manchester. In Liverpool, also, matters were managed well, and there the fire brigade which worked efficiently was in the hands of the police. He did not complain of the Vote of £10,000 from the public funds; but he would remind hon. Gentlemen opposite that in the city which he represented (Dublin) there was a very efficient fire brigade, and there were several important public buildings, and a small contribution would be useful. It had transpired during the investigation of the Committee that it was in the mercantile portion of London that the greater number of fires took place, and it was there that the most numerous stations of the brigade were established. In other parts of the metropolis occupied by the residences of private gentlemen the stations were sparse. It was proved before the Committee that there was no adequate protection for life and property in many parts, such as Belgravia and Tyburnia, and he trusted the Government would give more stations in those districts. He did not oppose the Bill, but must repeat that he thought it strange that upon such slight reasons as those stated by the hon. Gentleman (Mr. Baring) the Report of the Committee in nearly every point should be entirely contravened. What the House had most to complain of was the delay which had taken place. The Committee reported in 1862—it was not till 1865 that the Government had introduced their scheme, and no adequate reason for the delay had been assigned.

Mr. REMINGTON MILLS said, that the insurance offices were to make over all the plant, stock, and engine-houses of the fire brigade, as at present constituted, to the new brigade, without any compensation, and that was a very handsome contribution on their part. It would still be their duty, at their own expense, to protect salvage. He approved placing the brigade under the management of the Board of Works, which would have greater facility in collecting the rate. The police ought to be confined to their proper duties—namely, the protection of life and property, and not be obliged to look after fires.

Mr. Alderman ROSE said, the origin of the present Bill was, that the insurance companies had given notice that they would not continue their establishments and staff, and, therefore, the question of what was to be done became imperative. He had had occasion to consider the question very much. He entirely disapproved the employment of the police, and he was not prepared to say that this was not the best scheme that had been proposed; but he was afraid that the control of the Metropolitan Board of Works would not prove satisfactory. That Board consisted only of forty members, and they had undertaken works of the most gigantic character, and been intrusted with the most unlimited powers of taxation. He felt that, looking at the experimental nature of the works they were carrying on, looking at the fact that they already taxed the metropolitan districts to the extent of £6,000,000 a year, and that a good many people believed these experimental works would prove a total failure, they ought not to be intrusted with further taxing powers, being still a comparatively untried body. At all events, the Government ought to look to the constitution of the Board and see whether their number was sufficient for the work. If the forty members of the Board were cut up into several committees, it might be found that they would not be capable of discharging their new duties. He objected to any penalty being imposed upon people who had the calamity of their property being destroyed by fire.

Mr. LOCKE said, that no doubt, ere

long, the number of the Metropolitan Board would be increased and a more direct mode of election adopted. He should like to ask the hon. Member for Dublin (Mr. Vance), who wanted a contribution towards the fire brigade of that city, whether the amount raised by licences for public-houses and other similar taxes was not paid into the coffers of the municipality, which thus had a large sum at its command for fire brigades and other municipal purposes. Nothing of that kind was received by the City of London, where the expenses were very great for lighting, watching, paving, and such things, for the benefit of those gentlemen who came from Dublin or the country to enjoy themselves. It was, therefore, absolutely necessary, either that the Government should provide a fire brigade for its own safety or contribute towards one established in the metropolis. He did not think that the sum of £10,000 was at all too much, when they considered the vast amount of property in the metropolis belonging to the country. He thought the same principle should apply to Dublin, Edinburgh, and any town in which there was a large amount of Government property. He did not think that persons who had the misfortune to have their houses burnt ought to be called upon to contribute largely to the support of the brigade, but it might be advisable to levy a small tax upon them. The Committee, of which he was a Member, found it very difficult to arrive at a definite conclusion on this subject; but the Government had now produced a plan which, he believed, would give general satisfaction to the House.

Mr. VANCE said, that he had been informed that in Dublin the money for licences to public-houses did not go to the municipal corporation funds. When the question arose in Dublin he was in favour of placing the brigade under the police instead of the municipal Board.

Mr. PEACOCKE said, the proposition of the Government varied from the Report of the Committee in two respects—as regarded a contribution to the support of the brigade from persons whose houses had been on fire, and as regarded placing the brigade under the Metropolitan Board of Works, instead of the police. The Committee were unanimous in their recommendation that the brigade should be under the control of the police; and the same unanimity pervaded the witnesses, who all rejected the idea of subjecting it to the authority of the Board of Works. With regard to the former point he offered no objection to the Government proposal, as he made some such proposition in the Committee, and it was only lost by the casting vote of the Chairman; but with regard to the second point, he adhered to the unanimous opinion of the Committee and the witnesses, which was in favour of placing the brigade under the police, as in Manchester and Liverpool, where the system had worked well, and not under the Board of Works, which had not the general confidence of the public.

Mr. Alderman SALOMONS said, he was a member of the Committee, and had always opposed the scheme for placing the brigade in the hands of the Commissioners of Police. There was another matter which took the present Bill entirely away from the arrangements suggested by the Committee. It had been assumed by the Committee that it would not be consistent for them to assume any arrangements with the insurance companies; but if the brigade were placed in the hands of the Metropolitan Board of Works they would be able to make the insurance offices, as well as the Government, parties to this measure. In his judgment the proposed scheme would work remarkably well. At present the insurance offices had their chief stations in the heart of London, where most property was accumulated, and one advantage of the Government plan would be that the stations would be more fairly distributed through the metropolis. He believed that the Bill was an excellent one, and that its principle was sound, though its details might perhaps be improved in Committee. He might observe, that under the Fire Act every parish was bound to provide the means of extinguishing fires, but the Committee ascertained that many of the engines belonging to parishes were no larger than garden engines.

Mr. Alderman ROSE: And all of them out of order.

Mr. THOMSON HANKEY, as Chairman of the Committee which had inquired into this subject, said, that though he was of a different opinion, he now thought that the Metropolitan Board of Works would be likely to carry out this arrangement most efficiently. One reason was that the police in London were divided into the Metropolitan and City forces, and the conflicting interests which thus existed would effect the proper working of the force. The scheme was really the same as that existing in

Manchester, where the corporation undertook the whole arrangement, just as here the Board of Works managed the affairs of the metropolis. It was most important that the Government property in the metropolis should be protected, and it was not unreasonable that there should be a contribution from the public funds for the purpose. As to the insurance offices, they were not relieved altogether; and besides, they had offered to give up the whole of their plant. But what Parliament had to do was to see that there was an efficient fire brigade without reference to the insurance offices. The Metropolitan Board of Works were here similar to the bodies which managed the fire brigades in the great provincial cities, and even on the Continent. As to the suggestion to make a permanent provision for the brigade, he would remind the hon. Member (Mr. Ayrton) that no permanent provision is made for the police or the army.

Question, "That the Bill be now read a second time," put, and *agreed to.*

Bill read 2°, and *committed* for *Thursday* next.

RECORD OF TITLE (IRELAND) BILL.

(*Lords.*)—[BILL 151.]—SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL moved the second reading of this Bill. He said it had passed through the House of Lords with very general unanimity, receiving the support particularly of noble Lords connected with Ireland. Its object was to complete the benefits derived in Ireland from the system of Parliamentary titles provided by the legislation of late years. Under the Incumbered Estates Act property to an enormous value — not less than £23,000,000—had been cleared and sent into the market with an unimpeachable Parliamentary title. Since the passing of that Act the Legislature had given to the Landed Estates Court in Ireland power to make a declaration of title, which should be a clear Parliamentary title, to any owner of land in fee simple, and the beneficial effects of that legislation could hardly be overrated. That legislation was, however, imperfect, since there was no provision, as pointed out by the Commission of 1857, for perpetuating and continuing as to future transactions the Parliamentary title once created, and for preventing the land from relapsing into its original condition of encumbrance. Thus would arise, again, the old system, the expense of investigation into the title, and difficulties in dealing with the property in the market, accompanied by gain to the solicitors and loss to the public. When Lord Derby was last in office the hon. and learned Member for Belfast (Sir Hugh Cairns), whose entire cordial, and unqualified approbation the present measure had, introduced into that House a Bill to give effect in England to the recommendations of the Commission of 1857. That particular measure was not carried into effect, but in 1862 Acts were passed by Parliament for the purpose of simplifying the transfer of land in England, of enabling a Parliamentary title to be acquired by means of the Registration Office then established, and of perpetuating it by keeping a subsequent record of all after transactions. The scheme was not compulsory, but permissive, and there was a drawback, which the good sense of the country was overcoming, against its efficient operation, arising out of the indisposition of solicitors and attorneys throughout the country to co-operate in carrying out a change of law which interfered with an important branch of business they had been in the habit of conducting with great ability, and with some profit. Under these circumstances prophecies were indulged in that the scheme would have no effect, and that nobody would take advantage of it. Consequently, it was not all at once that the public began to discover that they really had the means of acquiring clear titles to their estates, and of keeping their titles in a marketable condition; but now the public were becoming acquainted with the benefits of the measure, for whereas from October, 1862, to March, 1864, there were only sixty-five applications for registration, comprising about 5,000 acres of land; from March, 1864, to April, 1865, there had been 214 applications; and it might be concluded that that rate of increase would be progressive. At rather an earlier period the same system was tried in South Australia, and here he must not omit to mention the name of Mr. Torrens, on account of the zeal and ability with which he had promoted the cause of public improvement on this subject. That Gentleman was the means of introducing the system into South Australia, where great advantages had resulted from it. He held in his hand a Return of the number of applications made to the Land Registry Office in Australia, showing that not only was there a large number of original registries of title, but a large and continually increasing number of transfers, and subsequent dealings on the record. In 1864 an association, with the Duke of Leinster at its head, was formed in Dublin for the purpose of obtaining this necessary supplement to the measure which had been in successful operation in Ireland ; and it was partly by the labours of that association that the Government had been enabled to prepare the present Bill. He would now explain exactly what were the provisions of the Bill. The House was aware that there existed in Ireland a registry of deeds, which was quite a different thing from a registry of title, and in no degree cleared the title. It was an advantage, no doubt, to have a register of deeds, and be able to ascertain what deeds there were affecting the property, but the expense of making out the title was no less under that system than if there were no such registry. Nevertheless, as the present Bill was only permissive, those who liked the other system might still use it, have encumbered or uncertain titles, and be unable to deal with their property without running up a very heavy bill with their solicitors. They might still enjoy that luxury if they chose, but there was no reason that they should have the power to force their taste on others. It was provided by the present Bill that in all cases in which a Parliamentary title was created, that title, if the parties so wished, would at once be placed on the record, together with all subsequent dealings, transfers, &c. The record itself would be the only thing the parties would have to look to, and would be conclusive in all dealings with the property. Anybody who wished to sell or mortgage his property would have nothing to do but to go to the office, and by a very short statutory form the transfer or mortgage would be effected. But if it were desirable to have a deed executed in the country, that could be done and the original deed would be deposited in the office, and duplicates furnished to the parties interested. Then there would be given a certificate, which would be a marketable instrument, and a special certificate would be given when desired, which would prevent all entries on the record for fourteen days. The Bill also proposed to enlarge in one or two important respects the operation of the Landed Estates Court. At present that Court only had power to make a declaration of title in the case of estates in fee simple, but that power was now proposed to be extended to all estates. In Ireland many leases were virtually perpetual, and there was to be a power for having separate records of these estates on the register. He had only to add that all that was to be done without throwing any new expense on the country. Of course there would be the necessary fees upon the business done, and these would be relied upon to meet any outlay that might be created. There were some provisions for recording devises by will, and the succession of heirs in case of intestacy by certain steps to be taken for establishing the title on these different occasions. These powers might safely be conferred on the Landed Estates Court, judging from their experience of its exercise of similar functions ; but appeals would be given from its decisions, first to the Court of Chancery in Ireland, and then, if desired, to the House of Lords. It was, he confessed, with some surprise that he heard there was to be opposition from any quarter to the measure. He believed it would be acceptable to Gentlemen on both sides who were best acquainted with Ireland. But a paper had that day been put into his hands, from which it appeared that the very respectable body of men whose prophecies of the failure of the English Land Transfer Act were now in course of disappointment, also conjured up all kinds of possible evils from the adoption of the present measure. They thought a man might possibly get hold of somebody else's certificate and go to the register and forge his name. That might happen now in regard to ships, but it was done very rarely indeed ; and the safeguards provided were such as to render needless any alarms of that description. Those learned Gentlemen could hardly have read the Bill with the candour and care which might have been expected from them; but their objections were objections to details, which could properly be considered in Committee. All that the House was then asked to do was to agree to the second reading, and to affirm the principle that it was desirable to give those who wished to take advantage of it the opportunity of continuing upon the record a Parliamentary title after it had once been created.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General.*)

Mr. WHITESIDE said, he was surprised that the hon. and learned Gentleman should expect a Bill of such importance not to meet with some discussion. It was a mistake to say it had received the approval of all the learned authorities in another place. One of the most learned Members of the other House (Lord St. Leonards) who had been Lord Chancellor twice in Ireland and once in England, and had done much to simplify the law, had pronounced a very different opinion of the measure from that of the hon. and learned Gentleman. Again, it was not quite worthy of the hon. and learned Gentleman to speak of the body of solicitors in the terms he had done; and he ought, moreover, to have recollected that the gentleman who had signed the paper to which he had referred had been appointed by the Government on the Commission which recommended all the reforms in the Court of Chancery, of which the hon. and learned Gentleman was such an enthusiastic advocate. Although that extraordinary measure came down to them from the other House, they were entitled to exercise their own judgments upon it, and to ask for the reasons on which it was founded. It related solely to landed property in Ireland, to which a Parliamentary title had been obtained, leaving all other descriptions of land untouched. The Bill, it appeared, had been born in Australia; so that from that happy colony they were to derive not only reforms in their Constitution, but in the law of real property. The doctrine applicable to a country where the settlers cleared away the trees and the natives, and then laid out the land for each other according to their own plans, was to be introduced into a country where the laws of real property were, fortunately or unfortunately, rather complicated, and where the main elements of that complication were to be left wholly untouched. Even in Australia, when a measure like the present was passed, an indemnity fund was created to compensate the recorded owners, who might in the simplest way possible to deprived of their rightful estates. One objection to the Bill was that it did not provide that the Consolidated Fund should make good all the losses which must necessarily arise from it to the owners of property in Ireland. If such a provision was essential in Australia, as Mr. Torrens informed them, how could it well be dispensed with in Ireland? He really thought it desirable that the preparation and conduct of measures like that should be in the hands of some one acquainted with the land and the law of Ireland; and he trusted that whenever a new Government was created somebody connected with the Parliamentary representation of that country might be permitted to meddle with its business. There were 12,000 proprietors in Ireland who had clear Parliamentary titles registered in the office for registering deeds affecting land; but surely not one of those persons would be so foolish as to go back to the same court to register the record of his title again? When, therefore, it was boasted that that particular Bill would be of great service to the country, it was clear that that could only relate, if it related to anybody at all, to purchasers hereafter. As to the question of search, he would say that it would only take about a minute a year to search the book for the title. As to a search extending over five or ten years, why it would be a mere nothing. There was some time ago a description of title in Ireland called a holding under a lease of lives, renewable for ever. That being found a very inconvenient kind of title, a law was lately passed which enabled the holders of such property to turn them into perpetuities by paying the landlords certain fines or fees. Now, about one-sixth of the land of Ireland was of that kind, the proprietors of which could make out their title with the greatest ease and simplicity. There was another class of property in Ireland, belonging originally to the Church. The purchaser of Church land obtained his title from the Ecclesiastical Commissioners, who were empowered by law to grant leases. Two-thirds of this property had been purchased out and out, and the owners had obtained a good Parliamentary title. Now the promoters of the present Bill said that it would confer a great service on the country. He was at a loss to understand how any advantage could be derived from it. In his opinion it would only operate in regard to the future purchasers. It should be observed that the proceedings of the Land Transfer Court were slow, cautious, and expensive, and being so, the purchaser was sure of being well protected as regarded the title. The measure before the House, on the contrary, deprived the real owner or purchaser of every such protection, inasmuch as it proposed to effect the sale and conveyance of estates in a hop, step, and a jump manner, and subjected the officials connected with the court to no pain or penalty for neglect, carelessness, or indifference in the discharge of their duties, even though by such faults the real owner of a property might find himself suddenly deprived of it. Now, under the existing law, the registrar of the Landed Estates Court was made peculiarly liable if he neglected to give the proper legal document, or had done anything affecting the interests connected with a particular property. Able and learned as Lord Westbury undoubtedly was, he had framed clauses in that Bill which he (Mr. Whiteside) thought that House would never sanction. The 34th clause enacted that—

> "On the death of the recorded owner of any real estate, any person claiming as devisee, may apply to the Judge for a fiat directing the officer to record the applicant as owner in the place of the deceased person."

A person might go with a piece of paper to the Judge and say, "Record me as devisee." If the Judge chose to do so, the person recorded as devisee might sell the estate next day, and there was no remedy against the purchaser. The will under which the devisee claimed might have been fraudulently obtained, or another will turned up; but the case had been summarily decided; the estate was gone for ever. Unless they thought that the ownership of an estate ought to be disposed of in a more summary manner than a County Court Judge would decide a huxter's bill for 40*s.* they would never adopt that clause. But the Judge might withhold his fiat

> "until the applicant shall have obtained an order or decision or certificate from Her Majesty's Court of Probate in his favour, and shall have lodged in the office the probate or a true copy of the will or codicil under which he claims, &c."

Those who framed this clause could have no accurate idea of the law that related to the Probate Court in Ireland. No power was given to the Probate Court to pronounce any opinion on the construction of the will. To refer the matter to him who had no authority to deal with it was an absurdity. He was lately engaged in a case where three wills were produced. Well, the devisee appeared, produced the will, and the estate was gone. The next clause enacted—

> "On the death of the recorded owner of real estate any person claiming as heir-at-law, may apply to the Judge for a fiat directing the officer to record the applicant. If there should be any doubt, dispute, or litigation touching the ownership of the estate of a deceased owner, the Court may appoint a person to be recorded in his place, as the representative of such estate, &c."

It was one of the most critical things to find out who was heir-at-law. Whether there ought not to be a limitation of the time—five years according to some, or ten years according to others—within which, if a will were not produced, it should be concluded that none existed, he would not say; but this question was to be disposed of in no time at all. Once the person was recorded he could sell the estate. This was a very alarming Bill. It could not be acted upon. It was full of mischief to all the interests of society. In their anxiety to be rapid they would become unjust. Under the existing law the registry of deeds was very accurately performed in Ireland. It was of the greatest advantage in that country. The fact and truth was this, that were it not for the Registry of Deed Office, neither the Incumbered Estates Court nor the Landed Estates Court would be of any use. Under the general registry of title-deeds in Ireland everything was open to inspection in the office. The present Bill, however, provided that once a title was recorded nobody was empowered to inspect the record except the owner or his solicitor. It was a mistake to say that the register of the Landed Estates Court in Ireland gave no information, for there were at present 12,000 transfers registered in it, and the owners could do no act with reference to their estates except through that Court. From the moment a man registered his estate every lease, mortgage, and charge upon it must be executed through the medium of a public court at a large expense, and he never could free himself from his fetters unless every person having a charge upon his estate gave a formal consent to his taking it off the register. There were at present three modes of dealing with estates existing in Ireland—one for the registration of deeds, another for the recording of titles, and a third for the registration of judgments; and he wished to ask the learned Attorney General if he wished by the 42nd clause of the Bill for the House to overthrow Sir John Romilly's Act for the Registration of Judgments. His complaint was that instead of looking to the whole state of the law in Ireland, and considering how they might have amended the Registration of Deeds Office and enlarged its operation, this Bill had been introduced for the purpose of establishing an antagonistic system of registration of deeds and judgments that must plunge the country into great misery and confusion. He should have no objection to one system of registration being made compulsory. He objected to the time it took at present to investigate a registered title, as when a man required money he generally wanted it immediately. He thought the Bill did not afford sufficient security against fraud, as any man getting hold of the judgment certificate might manage to get himself recorded owner, in which case, even if the mistake were found out within an hour, he could sell the estate, and the real owner could obtain no redress, and no responsibility would rest upon any official. All those evils were to be created for the purpose of facilitating the transfer of land. In his opinion, if this Bill passed, matters would only be made more complicated than before. The machinery of the Bill was very complicated, and by it every man who had a charge on an estate, and if it was mortgaged to the extent of £5,000 or £10,000, every owner of a mortgage might split the amount up and get a certificate for every £1,000, and thereby bring down five or ten creditors, as the case might be, on the unfortunate owner of the estate, instead of one. Powers were to be given in this Bill which had never been known before to exist in that country. The record was to be made in the most complicated manner, and the very reverse of that very convenient and simple manner described by the learned Attorney General. The Bill ought to be submitted to a Select Committee. The learned Attorney General had said that the Bill had been thoroughly examined in another place; but he (Mr. Whiteside) had been informed that it was not referred to a Select Committee of the House of Lords. What was stated by Lord St. Leonards in the other House was deserving of every respect. Lord St. Leonards had said—

Mr. SPEAKER said, the right hon. and learned Gentleman was out of order in referring to what was said in the other House.

Mr. WHITESIDE said, that he only wished to refer to what that noble Lord had said to show that the Attorney General was in error when he said the Bill had received the assent of all parties in the other House. He had been informed that it was not the case. He was of opinion that the Bill was open to very serious objections, and with all respect for Lord Westbury he considered that it was the most complicated, difficult, novel, and singular measure ever introduced into that House, or that he had ever heard of before. It was, however, possible to make an alteration in the present law that would be beneficial to all parties. If it were really desired to facilitate the transfer of land, let them make the registration of wills compulsory, instead of permissive, and let them permit a man to renew his Parliamentary title every five or six years at a moderate expense. Having assisted in carrying the Landed Estates Act through the House of Commons he would be happy to improve it; but he considered that the novelties and the curiosities of the present Bill required that it should be fully and fairly considered before power so enormous as that which it conferred should be conferred on gentlemen appointed for other duties, and who had already quite enough to occupy their time. He trusted that the Attorney General would not oppose the proposition to refer the Bill to a Select Committee.

Sir GEORGE BOWYER said, a notion appeared to exist that in recent legislation there had been a tendency to introduce a principle both novel and dangerous. It seemed to be thought that there was a kind of magic in registration. The fact was, that registration of titles and deeds was not new. It had been known to Europe for more than 1,000 years, and had existed in the time of Justinian; but the principle had always been that the title when registered was the same as it had been before registration, and that registration only fixed the priority of the instrument. Under the first Empire in France a case came under the consideration of the Court of Cassation, presided over by the greatest lawyer of the time, who had a chief part in drawing up the Code Napoleon, and they decided that no defect of registration would affect the title, because the registration was merely to record not to determine the title. The Estates Court in Ireland had been rendered necessary by a very extraordinary state of things, and the Act creating it was a revolutionary measure, called for by the vicious state of the law of property. It was an anomalous institution. The hon. and learned Member for Belfast (Sir Hugh Cairns) once proposed to institute an Estates Court for England. He (Sir George Bowyer) thought the proposal both dangerous and mischievous; he did not think the circumstances of England rendered such an Act necessary. Admit in England the necessity of a court for the transfer of landed property, and you would require a court for the transfer of a horse or a pig. An estate court must only be resorted to under exceptional circumstances. To make it general would be to poison jurisprudence, and produce consequences which, if ever our laws were codified, there would ever be reason to lament. He had no objection to the Bill as far as it went to record titles made under the Landed Estates Court, but he generally concurred in the observations of the right hon. and learned Gentleman the Member for Dublin University (Mr. Whiteside), whose warnings he hoped would be listened to by the Attorney General, for if it were once admitted that after registration a man might dispose of his property absolutely, it would be introducing a dangerous novelty into our jurisprudence. The Bill required great consideration, and he hoped that an opportunity would be afforded for further inquiry.

Sir HUGH CAIRNS said, he hardly knew whether his right hon. Friend (Mr. Whiteside) or the hon. Baronet who had just spoken intended to object to the Bill or not; for, although they had indulged in criticizms upon it, they had not asked the House to reject it. With regard to the principle of the Bill, he did not think any two persons could differ as to its excellence. What was its principle? Parliament had established in Ireland a Landed and Estates Court, the operation of which was after a careful investigation at great pains and expense to give to any person who had a good title a complete and indefeasible Parliamentary title. Instead of holding boxes of parchment and abstracts of titles extending to hundreds of pages, he received a small slip of parchment, which stated that he was the indefeasible and Parliamentary holder of the estate. Under these circumstances, what was the first observation which any man unlearned in the law would make? He would say it was an admirable system, and a most excellent piece of legislation which accomplished such an object. He would also further entertain no doubt that the means had been secured by the Legislature for preventing that title from becoming entangled and obscured as in times past. But what would he say if he were told that Parliament had done nothing of the kind—that it certainly had established a court to restore a Parliamentary title, but that the moment that was done persons having claims against the estate might recommence the old system, incumbrance might be heaped upon incumbrance, and at the end of twenty or thirty years the same state of things would be found as in the beginning. Now, as he understood the matter, the object of the Bill was to prevent such a state of things. It was, that as a court had been established competent to declare an indefeasible title, that court was to be enabled to watch the successive devolutions to that estate in favour of the person entitled to succeed, and who would, by virtue of that record, be in as good a position as the first holder. Now, unless there were some insuperable objection to the carrying out of that principle, it must commend itself to the mind of everyone as a most excellent arrangement. The truth was, that this Bill was well understood out of doors, and that was a most auspicious omen. He never remembered any measure of law reform in which so great an interest had been taken in Ireland. Associations of men of the greatest intelligence—owners of property, mercantile men—recommended the measure to Parliament for its adoption. And how was it that their attention had been directed to the matter? Why, they had seen what had occurred elsewhere. In our Australian colonies any one could avail himself of a measure of the same kind, and it had proved to be of the greatest advantage to the owners of property. The shipping interests, which represented millions of the property of this country, was dealt with on exactly the same system. The owner of a ship could sell it without any abstract or title, simply by virtue of being the owner. With regard to the objections to the Bill, there was one consideration which at once removed many of them, and that was that the Bill was entirely permissive. There was not a single owner of land even, if he had obtained a declaration of title, who could be compelled to place his property upon the record. Another answer that occurred was that persons owning a Parliamentary estate would surely be able to judge whether there was any substantial objection to the system or not. He would ask the House to recollect what Parliament had already done on the subject. In 1859 it was his duty, as the organ of the Government, to offer two Bills relating to the transfer of landed property in this country. The first of these Bills was very similar to that under which the Landed Estates Court was constituted in Ireland. It proposed to give a Parliamentary and indefeasible title. The second Bill was founded on exactly the same principle as the present. It proposed to secure the means of recording the title and preventing it from being clouded after. These Bills were approved of at the time, but not passed; but they had since been carried by the present Lord Chancellor, and were now the law of the land. Whilst listening to the observations of his right hon. Friend (Mr. Whiteside), he could not help thinking that he had forgotten that the Probate Act in Ireland was the same as in England; and, moreover, that in 1862 the Legislature passed the Transfer of Land Act, containing a series of clauses which were exactly the same as the clauses in the present Bill.

Mr. WHITESIDE inquired if his hon. and learned Friend meant to say that the Judge of the Probate Court in Ireland had jurisdiction over real estate where there was no personal estate.

Sir HUGH CAIRNS: Probably not; but no one ever heard of a case of real property being devised without there being some personal property. But that did not militate against the provisions of the present Bill, for if the decision could not be in favour of the applicant's title, the applicant's title would not be recorded. There was another circumstance connected with the Bill which commended itself to his mind, that was, that it did not involve the creation of any new staff of Judges or officers, and that the only expense incurred would be the mere clerical expense of the writing. Any man who had once put his land on the record, if his experience convinced him of the folly of doing it, would be able to take it off and restore himself to his former condition. He thought that the provision requiring the judgment creditor to enter his judgment on the record of the estate was a wise one. As for the case of the guardian and his ward put by his right hon. Friend (Mr. Whiteside), he thought it was only one of those bugbears which were put forward to frighten the House; for if the property had not passed out of the hands of the guardian the Court of Chancery would be strong enough to make him restore it to the owner, and if it had passed by sale into the hands of a *bona fide* purchaser, the ward would be in no worse position after the passing of this Bill than he would be under the existing law. He knew the sources from which these sort of objections came. They emanated from those who wanted to conjure up terrors to defeat a Bill which they imagined—he thought unwisely—would interfere with their own interests. He had compared the Bill as it stood with the Bill as originally introduced, and he thought that very important and useful changes had been made in it, showing that it had been carefully considered in some place or other. Considering that its clauses were mostly the same as those in the English Act, he thought it would be wholly unnecessary to refer the Bill to a Select Committee, and looking to the anxiety which he knew existed in Ireland on the subject, he hoped the Government would induce the House to pass it through a Committee of the whole House, and not endanger its being passed by sending it at that period of the Session to a Select Committee.

Mr. MALINS said, he thought that the Bill would do no harm, but did not believe it would work as well as was expected. It was idle to think that the transfer of land could ever be made as simple a matter as the transfer of stock. He did not think there was the least analogy between the case of the transfer of land and that of the transfer of stock or the transfer of a ship; though he had heard the present Lord Chancellor say he hoped to see the transfer of land made as simple as that of stock, and though his hon. and learned Friend (Sir Hugh Cairns) had adduced the transfer of a ship as an illustration of what might be done with land. In the case of stock or of a ship nothing was looked to but the legal title. If A possessed stock he could go into the Bank of England and transfer it to B, and a ship could be disposed of in the same way; but neither were the subjects of family settlements, extending, perhaps, through several generations. This was the difference between them and land. Till they resolved that land should be transferred without any regard to equitable titles, they could never make its transfer a simple one. He did not offer any opposition to the Bill. It was a recommendation to the measure that it was only permissive, and if the gentlemen of Ireland were anxious for it, let them have it; but let them not suppose that the Bill would do away with all the difficulties connected with the transfer of land. On the contrary, he believed those difficulties would speedily become as complicated under this Bill as they were under the present system, if not more so.

Mr. COGAN said, many of the objections of the right hon. Gentleman (Mr. Whiteside) had been answered by the hon. and learned Member for Belfast (Sir Hugh Cairns). He thought that the anticipations of fraud and other dangers from the measure were groundless. It had been approved by the landowners, the Bar, and even many of the solicitors of Ireland. He believed that the Bill would be a great practical benefit to Ireland, much superior to some of the Utopian schemes from time to time submitted to the House. He pressed upon the Government the necessity of making the Bill law as speedily as possible. The principles embodied in it had found favour with men of all parties in Ireland.

Mr. LONGFIELD said, this was a measure of law reform which was sanctioned by the House of Lords, and which to his great surprise and unfeigned delight, unlike other measures, did not create new jobs, superannuations, and so on; but provided machinery which could be worked at a small expense. Still he was not so sanguine as to anticipate from it any great amount of benefit. It was said the people of Ireland were anxious for it. He knew how it had been written up, talked up, and lectured up, until the people believed that something like the regeneration of Ireland would result from it. Well, let them try it. He would vote for the second reading, but not under the expectation of the benefits which had been predicted as likely to accrue from it.

Mr. MURPHY said, he disclaimed on the part of the body of solicitors any opposition to any measure properly tending to the development of the landed interest of the country. He did not think that the present Bill would afford much better provision than the laws of the country already provided, but as it was the wish of the country that it should be passed he should support the second reading.

Question, "That the Bill be now read a second time," put, and *agreed to*.

Bill read 2°, and *committed* for *Thursday* next.

COUNTY COURTS EQUITABLE JURISDICTION BILL.—(*Lords.*)

[BILL 150.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read the second time."

Mr. CRAUFURD said, he objected to the mode in which the County Court Judges had been treated. Their work had constantly been increased, and would receive still further additions by this Bill. It was true that an addition to their salaries was proposed in the present measure, but it took the objectionable form of fees instead of a fixed salary; and as the superannuation allowances for County Court Judges were determined on the amounts of their fixed salaries, there appeared to be, as far as he could see, no provision for any increase in their superannuation.

Sir FITZROY KELLY said, he was anxious to take the earliest opportunity of thanking Her Majesty's Government for the introduction of this Bill, which would effect a greater improvement in that branch of the administration of justice which more immediately concerned the labouring and many of the middle classes than any measure which had for a long time been brought before the House. At the same time he entirely agreed with what had been said by his hon. and learned Friend opposite (Mr. Craufurd) as to the insufficiency of the remuneration of County Court Judges. Their claims had been on more than one occasion altogether disregarded in that House, though there had been, he believed, a contrary disposition in the House of Lords. Although all the highest authorities had desired to do them justice, objections had always been raised, emanating, as it was supposed, from the Finance Minister, or those who regulated the administration of the finances compromises had been come to, and Bills involving the question of the proper remuneration of these Judges had never had fair play in either House of Parliament. There was within Her Majesty's dominions no more important or more useful, no more hardly worked and badly paid class of men than the County Court Judges, and he hoped that the House would at last be able and be willing to do them justice. He hoped that a sufficient interval would be allowed before the Bill went into Committee to enable the House to receive Returns upon which might be framed Amendments to the system of paying the County Court Judges an additional remuneration out of fees, which, as proposed by this Bill, appeared to him to be the worst that the wit of man could have devised. If no other Member proposed such Amendments, he should himself give notice of them, and he therefore hoped that the House would not be asked to go into Committee until after Whitsuntide.

Mr. HIBBERT said, he did not oppose the second reading of the Bill, but objected to the 13th Clause. As that clause was originally framed the Judges were not to receive additions which would raise their salaries to more than £1,600 a year, while as it now stood the additions were not to exceed £300 a year, so that the salaries of those Judges who now received £1,500 a year might be raised to £1,800. He also objected to the equal distribution of the fees among all the Judges, so that the Judge of an agricultural district, upon whom comparatively little extra labour might be imposed by this Bill, would receive as great an addition to his salary as would the Judge of one of the populous districts in Lancashire, upon whom it might impose a very large amount of extra work. He did not concur in the mode proposed of paying additional salaries by fees. It was not desirable that suitors should feel that they were paying the salaries of the Judges, and he should prefer that the amount be charged on the Consolidated Fund.

Mr. MALINS said, that although he did not intend to oppose the second reading of the Bill, he could not give it so cordial an approval as his hon. and learned Friend the Member for Suffolk (Sir FitzRoy Kelly) had done. He entertained considerable fears as to its working, and grave doubts as to the expediency of having a number of small Courts of Chancery all over the country. It was most important that the County Court Judges should not be overloaded with work, because if they were the whole system would break down. At present they could only try actions at law up to £50, and why their jurisdiction in equity should be extended to £500 he could not understand. The cases involving actions at law were simple indeed compared with those which involved equity. In the former case it was generally a simple question whether a man should or should not pay a debt. There were two reasons for the existing limitations—one, that the courts were not of so high a character that they ought to decide questions of great importance, and the other that it was necessary that they should deal only with such cases as could be easily and speedily disposed of. By this Bill it was proposed to give them jurisdiction in all matters of foreclosure and redemption, enforcing liens or charges upon land, and bills for specific performance, without saying anything as to the pleadings to be adopted or the modes of trial to be followed. These classes of cases, especially those for specific performance, were difficult and often lengthy, and he was afraid that if they were to be tried in the County Court by Judges who were often only a single day in one place, they might interfere with the arrangement of business and break down the whole system. He hoped that when the House went into Committee on the Bill his hon. and learned Friend (the Attorney General) would enter into a careful consideration of the subject. He for one did not think it was desirable that the jurisdiction to be given under the Bill should be so extensive as was proposed. There should be no such jurisdiction, he thought, in those cases in which the property involved amounted to more than £200.

Mr. AYRTON said, that if the Bill were to become law, it would be necessary to consider the position of the registrars of County Courts, with the view of securing that they should possess some legal qualification. They should be either barristers or attorneys. In answer to the argument of the hon. and learned Member for Suffolk (Sir Fitz Roy Kelly), who had laid it down as a doctrine to be universally adopted, that persons ought not to pay fees who had recourse to a court of justice, he would observe that he entirely dissented from that view. Suitors went there for their own benefit, or through their own fault; and when the County Courts were first established, a pledge was given that the fees should be commensurate with the whole expense of those courts.

Sir FITZROY KELLY said, the hon. and learned Gentleman had misunderstood him if he thought he objected to the imposition of fees. What he had stated on the subject was that the salary of the Judge should not depend on the chance sum taken for fees.

Mr. WHITESIDE said, he wished to know whether any attempt would be made to establish a scale of fees, as had been suggested by Lord St. Leonards, in another place, for cases of small value in the Court of Chancery.

The ATTORNEY GENERAL said, in reply to the remarks which had been made by the hon. and learned Member for Wallingford (Mr. Malins) in reference to specific performance, that it must be borne in mind that the principle on which County Courts were established at all was that it was better to administer rough justice than none, and to have questions settled—as far as possible—without having the property involved eaten up, as was frequently the case in the Court of Chancery. As to the regulations which should be laid down concerning bills and pleadings, he had no doubt that as many forms as were found to be necessary would be adopted. On the question of payment he might observe that it was not the fact that the County Court Judges were not to be paid upon the principle of equality, though he admitted that the payments for the extra duties were not to be certain, but would depend upon the amount of the additional work done by each Judge.

Question put, and *agreed to:* Bill read 2°, and committed for *Thursday* 8th June.

DOGS' REGULATION (IRELAND) BILL.

[BILL 127.] CONSIDERATION.

Bill, as amended, *considered.*

SIR COLMAN O'LOGHLEN said, he was surprised to find the Government would not accede to the insertion of a clause (of which he had given notice) to repeal an old act of the Irish Parliament, forbidding the use and possession of certain kinds of dogs, unless the owner had £100 a year real property. He, however, would not divide the House, and left upon the Government the responsibility of retaining such a disgraceful law.

MR. COGAN said, he moved to omit Clause 21. It gave an arbritrary, unconstitutional, and inquisitorial power, not only to a magistrate, but to every constable of police in Ireland.

Amendment proposed, to leave out Clause 21.—(*Mr. Cogan.*)

SIR ROBERT PEEL said, the proposal of the hon. Member had been disposed of by a large majority the other evening, and he therefore thought the clause ought not to be objected to now.

MR. W. O. GORE said, he thought it unreasonable to press this Motion after the division and majority against it the other night, but the clause, he must admit, was rather loosely worded.

MR. COX said, the clause was one which would not be tolerated for a moment in England. As it stood any man who kept a dog would be liable, if he were going to a dinner party, to be pounced upon by a policeman with the demand, "Where's your licence?"

Question put, "That Clause 21 stand part of the Bill."

The House *divided:*—Ayes 38; Noes 10: Majority 28.

Bill to be read 3° *To-morrow.*

The Attorney General

WICK AND AYR BURGHS ELECTION BILL.

On Motion of Mr. EDWARD CRAUFURD, Bill to shorten the time for fixing the day of Election of Members to serve in Parliament for the districts comprehending Kirkwall, Wick, Dornoch, Dingwall, Tain, Cromarty, Ayr, Irvine, Campeltown, Inverary, and Oban, *ordered* to be brought in by Mr. EDWARD CRAUFURD and Viscount BURY.

Bill *presented,* and read 1°. [Bill 166.]

LONDON BROKERS BILL.

On Motion of Mr. MOFFATT, Bill for relieving Brokers in the City of London from the supervision of the Court of Mayor and Aldermen of the said City, and from certain Taxes payable to the Corporation of the said City, *ordered* to be brought in by Mr. MOFFATT, Mr. HANKEY, and Mr. TAVERNER JOHN MILLER.

Bill *presented,* and read 1°. [Bill 167.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, May 26, 1865.

MINUTES.]—SELECT COMMITTEE — On River Shannon (Navigation and Drainage) The Marquess of Lansdowne *added.*

PUBLIC BILLS—*First Reading* — Union Chargeability * (122); Partnership Amendment * (123); General Post Office (Additional Site) * (124); Ecclesiastical Leasing Act (1858) Amendment * (125); Public House Closing Act (1864) Amendment * (126).

Second Reading—Parsonages * (119); Locomotives on Roads (108); Clerical Subscription (111); County Voters Registration * (116); County of Sussex * (114).

Select Committee—On Sewage Utilization * (80), *appointed.* (*List of Committee.*)

Referred to Select Committee — Locomotives on Roads (108.)

Report — War Department Tramway (Devon) * (74); Police Superannuation * (95); Pilotage Order Confirmation * (67).

Third Reading—Public Offices (Site and Approaches) * (68); India Office (Site and Approaches) * (69); Pheasants (Ireland) * (109); Tories, Robbers, and Rapparees * (96), and *passed.*

Royal Assent — Customs and Inland Revenue [28 *Vict.* c. 30]; Exchequer Bonds (£1,000,000) [28 *Vict.* c. 29]; Union Officers (Ireland) Superannuation [28 *Vict.* c. 26]; Isle of Man Disafforestation (Compensation) [28 *Vict.* c. 28]; Private Bill Costs [28 *Vict.* c. 27].

ST. TITUS CHURCH, LIVERPOOL.

PETITION.

THE EARL OF DERBY *presented* a petition from the inhabitants of St. Titus, Liverpool, praying their Lordships to appoint a Committee to examine into the causes wherefore the Church of St. Titus, Liverpool, continues closed, with the view to its immediate opening. The petitioners stated that the parish being a very large one a great want of church accommodation had been felt; and in the year 1863 a gentleman commenced collecting subscriptions, and the church was built, on the understanding that the seats were to be entirely free, and the patronage of the church vested in trustees. Subsequently a difference of opinion had arisen between the Bishop of the diocese and the Ecclesiastical Commissioners on the latter point, and the church still remained unconsecrated.

THE BISHOP OF CHESTER briefly vindicated his share in the matter. It was necessary that the consent of the patrons of the parish should be obtained to the vesting of the patronage of the new church in trustees. He had written to the patrons to procure that consent, but up to the present moment had received no answer, and according to his invariable rule he had declined to act in the matter. He believed that the trustees, however, might have carried out their object through the instrumentality of the Ecclesiastical Commissioners, who were empowered by Act of Parliament to give notice to the patrons, and after a certain time to act. As the petition appeared to convey the impression that the building of new churches in the diocese of Chester did not receive encouragement from the quarter from which it might be expected, he might be permitted to say in justice to himself that since his appointment to the diocese he had consecrated seventy-eight new churches, and ten more were now in preparation for consecration. He mentioned these facts not out of personal vanity, but in justice to the zeal of the diocese over which he had the honour to preside.

THE EARL OF CHICHESTER felt it necessary to add only a very few words with regard to the proceeding of the Ecclesiastical Commissioners, whom on that occasion he represented. He could say that no unnecessary delay had occurred in the matter. In consequence of the existence of a local Act it had been found necessary to take the opinion of counsel as to the course which should be recommended. The Acts relating to the building of churches were of themselves sufficiently complicated in their provisions; but the difficulties were greatly increased when they came in contact with local Acts. It was therefore necessary to proceed with the greatest care and caution. He had every reason to believe that no further avoidable delay would take place.

THE EARL OF SHAFTESBURY said, he was daily receiving letters complaining of the complicated state of the Church Building Acts. The obstructions were, in fact, so great that many persons willing to increase the number of sacred edifices were deterred from doing so by the difficulties thrown in their way by the state of the law. He begged to suggest to the noble Earl who represented the Ecclesiastical Commissioners that they should set to work and simplify the Acts relating to this subject.

IMPERIAL GAS BILL—SECOND READING.

Moved, That the Bill be now read 2ª·—(*The Chairman of Committees.*)

LORD RAVENSWORTH hoped their Lordships would not consent to the second reading of this Bill. It had excited the greatest consternation in the whole neighbourhood, on which it would inflict both injury and injustice, without being productive of the slightest public convenience. The original capital of the Company was £1,200,000, and it was now sought to increase the capital to £2,100,000, with borrowing powers to the extent of £886,000, and a land acreage of 150 acres. Even with its existing powers, this was one of the largest gas companies in the world. His first objection to the Bill was that the proposed extension of these works would greatly add to the pollution of the atmosphere, and the consequent injury to health, which they already occasioned to a neighbourhood the population of which was rapidly increasing. The right rev. Prelate who presided over that diocese had lately pointed out that the important Training College of St. Marks, on which no less than £50,000 had been expended, was not 100 yards distant from these works, and that the noxious vapours emitted from them were very deleterious to the inmates of that institution. The air was poisoned, and the property—whole streets of houses and garden ground—was much injured. A person passing these works at night might imagine that there was some serious conflagration in the neighbourhood. Another objection which he had to urge to the measure was that it would aggravate the evils of a most gigantic monopoly extending over a vast area, under which the public had no remedy whatever, however impure and defective the quality of the gas supplied to them might be. Moreover, the works of the Company were situated at a distance of not more than 150 yards in a direct line from the Thames, into which much of their foul refuse found its way. On all these grounds he must protest against granting them the power to double their present works for which they now asked, and he therefore begged to move that the Bill be read the second time that day three months.

Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")—(*The Lord Ravensworth.*)

Lord PORTMAN said, it was a very unusual course to attempt to throw out a Bill of that kind on the second reading, and not allow it to undergo careful consideration in a Select Committee when the promoters might be able to offer an explanation of the charges made against them. The promoters of the measure had sought an interview with the right hon. Prelate (the Bishop of London) in order to clear up some mis-conceptions under which he appeared to labour in regard to that Bill, and to explain to him certain facts which he had incorrectly stated; but the right rev. Prelate had not complied with their request. In his opinion, however, when a Peer of Parliament made an inaccurate statement affecting a public company in a case like that, he ought not to refuse to hear their explanation. Instead of making a demand for 150 acres, which might have been enough to frighten the right rev. Prelate and all their Lordships, the entire space required by the Company only consisted of three plots of nine acres, fourteen acres, and thirteen acres respectively—in all thirty-six acres, instead of the 150 alleged the other night by the right rev. Prelate. The Company could not now legally discharge their refuse into the Thames, and that Bill would not give them any power to do so—they would still remain liable to the penalties inflicted by the existing law. As to their having a monopoly, not long ago Parliament decided that the metropolis should be divided into separate districts, which should be supplied by certain companies. The number of houses in the particular district assigned to that Company had so greatly increased that they were absolutely compelled to enlarge their works in order to supply its wants. Therefore on public grounds he asked their Lordships not to refuse to read the Bill a second time. In Committee, however, the Bill might be thoroughly sifted and safeguards introduced, if found necessary, to protect private rights. If justice were not done after all, their Lordships, if they thought fit, might reject the Bill on the third reading.

The Bishop of LONDON said, that as the noble Lord seemed to impugn his conduct in not giving a hearing to the gentlemen representing the Company, he begged to state that in answer to their letter he wrote to them to say that he was ready to see them in presence of his legal secretary; and after that, having received another letter, in which they made certain statements similar to those now made by the noble Lord, he referred them a second time to his legal secretary, and he believed that an interview took place. It was difficult to ascertain in what proportions this nuisance was to be divided among the several parishes; but as to his statement of 150 acres he begged to point out to their Lordships that the ground they already occupied or asked to take amounted to fifty acres, and that there was a clause in the Bill which enabled them to acquire 100 additional acres. The parish in which this Company's works were situated in the east of London was an example of what might happen to Fulham or Chelsea if this Bill passed into law. There was a time when Bow Common was a pleasant place, but now there was no place which was more avoided than the Common of Bow by persons of sensitive organs. If Fulham and Chelsea were reduced to the condition of Bow Common, not only all the residents of those parishes, but all the inhabitants of the metropolis would have reason to complain. He was given to understand that there were various ways in which gas might be manufactured, and that one of these was at an increased cost of manufacture, but at a decrease of nuisance to the neighbourhood. It was an important public question whether the Companies should be allowed to manufacture gas in the mode most destructive to the health of the metropolis. They were told that this Company would not use its powers to their full extent, and that the law made it impossible that they could adulterate the Thames; but he had had experience of such impossibilities. They consisted in this—that for a very small penalty the Company could violate the law, and in cases in which it was cheaper to pay the penalty and violate the law, the penalty was paid. He had formerly had the misfortune to live near a railway station, where the engines were required to burn coke instead of coal; he saw the law evaded, and the engines burning coal, and when complaints were made the Company laughed at them. He understood that Fulham and Chelsea would not derive any benefit from this increase in the manufacture of gas. The gas was intended for places at a distance. He admitted that for the public benefit there must be gas companies, but he maintained that the manufacture of it ought to be so regulated as not to become a public nuisance. To show the strength of these powerful gas companies, he had heard that the Thames Embankment had been stopped by one of them in consequence of its demands for compensation. If the noble Lord divided the House, he would vote for the rejection of the Bill.

Earl GRANVILLE thought that the House should, in this case, follow the usual course and refer the Bill to a Select Committee, where all the clauses and details would undergo consideration. If the Select Committee failed to secure sufficient protection for the public—a thing that had not occurred within his experience—the Bill could still be rejected on the third reading.

Earl GREY said, that the Bill before the House involved consideration of great public importance which could scarcely be finally or satisfactorily decided upon by a Committee of five Members of their Lordships' House. The proposal came before the House, backed by a powerful company, whereas the opponents were private individuals who had no organization suited to bring their case effectively before the Committee. It was evident that the manufacture of gas in towns was in itself a nuisance, and it ought to be ascertained whether the manufacture of gas could not be carried on at a distance from the towns. In reference to such a Bill as the present, he thought that some public Department ought carefully to consider the whole subject, and place their conclusions before the Select Committee, without imposing on private individuals the burden of conducting a protracted opposition to the scheme of a powerful company. With respect to the works of this kind, he regarded the Select Committees of both Houses as most unsatisfactory tribunals, and yet under the name of Private Bills questions of the greatest public importance were decided by those Committees. What was wanted was some kind of tribunal to decide upon Bills which, under the name of Private Bills, sought to authorize works of a public nature, and by which the public health was likely to be affected. In the case of gas companies and water companies competition was impracticable, and any attempt at competition always ended in some compromise at the expense of the public. It would, therefore, be sound policy to adopt the course followed in certain towns, and leave the supply of gas and water to some public body acting on the part of the inhabitants.

Lord REDESDALE said, he should be sorry if a different course was pursued in the present case than that which was usual with other Private Bills. The question was a difficult one, but the case for the Company was that the works which they sought to erect were on a site on which they had carried on the manufacture of gas for thirty-five years. If they went to a new place they would only extend the nuisance to that district. There was no doubt but that improvements were taking place in the manufacture of gas, and others might be made, and that the entire subject could be regulated by a Public Act similar to that carried by Lord Derby for restraining the nuisance of alkali works. The Imperial Gas Company had three other establishments in the metropolis for the manufacture of gas, and the 100 acres sought under the Bill were not likely to be required at Chelsea or Fulham. At Fulham already they had nine acres on which gas was manufactured, and they had power to erect additional works on thirteen acres. As they could not prevent the Company from erecting works on the lands over which they had powers, it would be better if the residents in the district would go before the Committee and have such clauses inserted in the Bill as might be thought advisable for the protection of the district likely to be affected by it.

After some observations from Lord Ravensworth and Lord Lyttelton,

On Question, That ("now") stand Part of the Motion? their Lordships *divided:*—Contents 43; Not-Contents 46: Majority 3:—*Resolved* in the *Negative;* and Bill to be read 2ª *this Day Six Months.*

CONTENTS.

Cambridge, D.
Westbury, L. (*L. Chancellor.*)
Cleveland, D.
Somerset, D.

Ailesbury, M.

Belmore, E.
Caithness, E.
Carnarvon, E.
Chichester, E.
De Grey, E.
Granville, E.
Grey, E.
Harrowby, E.
Nelson, E.
Saint Germans, E.
Shaftesbury, E.
Spencer, E.
Stanhope, E.

Eversley, V.
Sydney, V.
Aveland, L.

Belper, L.
Bolton, L.
Boyle, L. (*E. Cork and Orrery.*)
Camoys, L.
Chelmsford, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Cranworth, L.
Ebury, L.
Foley, L.
Lyttelton, L.
Lyveden, L.
Oxenfoord, L. (*E. Stair.*)
Ponsonby, L. (*E. Bessborough.*)
Portman, L. [*Teller.*]
Redesdale, L.
Rivers, L.
Saltersford, L. (*E. Courtown.*)
Seymour, L. (*E. St. Maur.*)
Stanley of Alderley, L.
Taunton, L. [*Teller.*]
Truro, L.

NOT-CONTENTS.

Dublin, Archp.

Westmeath, M.

Amherst, E.
Bandon, E.
Cardigan, E.
Dartmouth, E.
Hillsborough, E. (*M. Downshire.*)
Home, E.
Mayo, E.
Powis, E.
Romney, E.
Verulam, E.
Clancarty, V. (*E. Clancarty.*)
Hawarden, V.
Lifford, V.
Melville, V. [*Teller.*]
Strathallan, V.

Bangor, Bp.
Carlisle, Bp.
Chichester, Bp.
Gloucester and Bristol, Bp.
London, Bp.
Oxford, Bp.
Ripon, Bp.

Winchester, Bp.

Castlemaine, L.
Clements, L. (*E. Leitrim.*)
Colville of Culross, L.
Denman, L.
Digby, L.
Dinevor, L.
Dunmore, L. (*E. Dunmore.*)
Dusany, L.
Feversham, L.
Houghton, L.
Inchiquin, L.
Lovel and Holland, L. (*E. Egmont.*)
Polwarth, L.
Raglan, L.
Ravensworth, L. [*Teller.*]
Rollo, L.
Sherborne, L.
Silchester L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*)
Wentworth, L.
Wynford, L.

LOCOMOTIVES ON ROADS BILL—(No. 108.)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF **HARDWICKE**, in moving the second reading of this Bill, said, its object was to amend an Act passed in the 24th and 25th of the present reign for the purpose of restricting and regulating the use of locomotives on highways, by striking out certain clauses and inserting fuller provisions. The traction engine was a very powerful machine, capable of drawing a great weight; but, at the same time, it was from its nature the cause of much alarm to horses and other animals. On this consideration the 24 & 25 *Vict.* gave to the Secretary of State power to prohibit or restrain, on the representation of the local authorities, the use of the engine in any locality where it might be attended with danger. The effect of this provision was that the Secretary of State had been appealed to so frequently to exercise this power that a valuable mode of traction was now almost entirely put a stop to. The present Bill attempted to provide a remedy for that state of things. It proposed, among other things, to repeal the 5th clause of the former Act, which gave to the Secretary of State the power which he had described; then the 9th clause, which provided that two persons should be always present with the locomotive; and the 11th, which enacted that the rate of speed should not be more than ten miles in the country and five miles in the town. By the present Bill it was proposed that, instead of two persons, three should be in charge of the engine, one of whom must always be sixty yards in advance, in order to warn the public, and stop the engine when it should be thought necessary. The driver was not to be permitted to sound his whistle for any purpose whatever, or to blow off his steam when the locomotive was on the road. He was also to take care that there should be plenty of space to enable vehicles to pass and to stop whenever signalled to do so by any person using a horse or carriage on the road. The engine was also to carry two efficient lights in front from sunset to sunrise. It was further enacted that a locomotive should not travel at a greater speed than four miles an hour on any turnpike road, or two miles an hour in any town; that no engine shall exceed 9 feet in width and 14 tons in weight. Instead of being placed under the control of the Secretary of State, those engines were in towns to be put under the charge of the local authorities; in the City of London, under that of the Court of Aldermen; and in the metropolis, under the Board of Works. He thought the magistrates in the country should have a corresponding power. If the Bill passed into law, it was to be read together with the former Act, and both were to constitute one Act.

Moved, That the Bill be now read 2ª.—(*The Earl of Hardwicke.*)

THE EARL OF CARNARVON said, that his noble Friend had stated very clearly the objects of the Bill, but he had passed over the objections to it. The Act which the present Bill proposed to consolidate and amend was in itself objectionable; but inasmuch as the present Bill proposed to remove some of the most valuable restrictions and safeguards with which the Act was guarded, the legislation proposed seemed of much more questionable expediency. In the original Act it was provided that the Secretary of State should have the power of prohibiting or restricting the use of those engines on common roads wherever they were found to be dangerous or inconvenient. That clause was distinctly proposed to be repealed by the Bill; but the House ought to pause before sanctioning so dangerous a proceeding. When they came to consider the precautions provided by the Bill the case did not seem to be much improved. The first was that three persons should accompany the engine, and that there should be a combination of arrangements by which the man in front should signal with his hand to warn those who were approaching, and also to indicate to the driver that he was to stop. The man was not to be more than sixty yards in front; but, under the terms of the provision, he might be not more than five or ten yards, and therefore quite unable to provide against danger; and if so, what became of the safeguard which was to be provided? There was an absolute diminution of safety. Then it was provided that the engine should give as much space as possible, so as to allow vehicles to pass. But inasmuch as those engines were 9 feet wide, it would be exceedingly difficult in the narrow roads which were to be found in so many parts of the country to find any available space for the passage of vehicles. It was forbidden that the drivers should blow off steam; but it was not necessary that the engines should consume their own smoke, and it was quite as dangerous that one of those monsters should puff its smoke in the face of a spirited horse as that the driver should let off the steam. And then the provision with respect to lights appeared only to augment the elements of danger. The precautions, in short, were too elaborate to be practicable, the penalty of £5 was too small, and it would be exceedingly difficult to prove a violation of the law. Under these circumstances, he should strongly recommend his noble Friend to refer the Bill to a Select Committee, where it might be considered together with the Act now in force, and a measure might be the result which would be free from the objections which he had pointed out.

VISCOUNT MELVILLE said, his original inclination was to move that the Bill be read a second time that day six months; for, objectionable as the present Act might be, the Bill now before the House, by taking away his powers from the Secretary of State, was still more objectionable. Under all the circumstances, however, he thought it would be wise to refer the Bill to a Select Committee.

LORD KINNAIRD said, he thought the Bill should be referred to a Select Committee, as it appeared that its objects and the nature of the provisions of the present Act were not very well understood by their Lordships. At the same time he was convinced that alterations like those proposed by the Bill were very much required. In the first place, the restriction of the hours of travelling to the hours between twelve o'clock at night and six in the morning rendered it almost impracticable to use these machines for agricultural purposes. For instance, it was exceedingly difficult to get the machines into the fields in the darkness of night. He had two machines of his own; but, as his farms laid five miles apart, if the restriction he had mentioned was enforced he should be obliged to abandon the use of these engines. If the Act regulating the travelling of locomotives was allowed to remain unaltered it was impossible that the farmers should bring them into general use. Therefore, while he approved the suggestion to send the Bill to a Select Committee, he also entertained a decided opinion that such a Bill as this was absolutely necessary.

THE EARL OF LONGFORD pointed out that this Bill was an instance of an evil which he had pointed out in other legislation. Clauses and parts of clauses were repealed without any intimation of their effect—other provisions were inserted referring to the provisions of former Acts; and the several Acts were directed to be read together. For instance, in the 5th clause it was provided that "the wheels of such locomotive be constructed according to the requirements of the said recited Act," so that the new Act could not be understood without reference to the former

Act, a great part of which was repealed. He could not understand why, in cases of this kind, the existing Acts should not be repealed altogether, and the enactments intended to be continued inserted in the new Bill, so that every Act should be complete in itself.

The Earl of CAITHNESS wished, as one who had had experience in the management of locomotives on common roads, to say a few words. He had himself driven an engine from Inverness to John o'Groat's, a distance of 160 miles, without frightening a single horse. He had no doubt frightened many people; but any horse that had been alarmed had been so by the efforts made to get it out of the way so that it might not see the engine, which was thought to be a very formidable object. When a carter saw the engine coming the first thing he did was to seize hold of his horse's head and give it a tremendous shaking. To say that these engines could travel upon common roads free from the danger of frightening horses would not be correct; but if they were driven with proper care, and with proper regard to what might be met upon the road, he believed that they could pass along with perfect safety. He thought that the provision that there should be a man sixty yards in front of the engine was a good one; but still if the driver would do as he (the Earl of Caithness) had done when he saw a horse ahead—shut off the steam—that would be all that was required. To show the importance of these engines he would mention that the cost of haulage was as ten to one in favour of engines as compared with horses. He was much more in favour of locomotives travelling by day than by night, for by night he thought that accidents were most likely to occur. He thought that power should be given to some authority to place certain restrictions upon the use of these engines; but still some of the restrictions which now existed tended to prevent farmers from making use of them. Mr. Howard, of Bedford, had informed him that he had driven locomotives on common roads for years without any accident; and any carelessness on the part of drivers could be guarded against by penalties. Another point to consider was, that one of these engines could draw forty tons within the space of the engine, while with horse power they would want a team of thirty or forty horses covering the space of a quarter of a mile. Sometimes railways ran fifty or sixty miles by the side of the common road, and he never knew a case in which horses had been frightened by the engines, and surely locomotives travelling on common roads were not so dangerous as railway engines travelling on the railway at the rate of thirty or forty miles an hour. He supported the proposal to refer the Bill to a Select Committee; for he thought that if undue obstructions were thrown on the travelling of these engines on the roads the farmers would be compelled to abandon the use of them.

The Earl of HARDWICKE said, that in deference to the wishes of their Lordships he would consent to refer the Bill to a Select Committee.

Motion *agreed to:* Bill read 2^{a}, and *referred* to a Select Committee.

And on Monday, June 12, the Lords following were named of the Committee—

D. Richmond.
D. Sutherland.
M. Salisbury.
E. Caithness.
E. Hardwicke.
E. Carnarvon.
E. Romney.
V. Melville.
V. Eversley.
L. Silchester.
L. Rossie.
L. Stanley of Alderley.

And on Tuesday, June 13, L. Harris added in the Place of D. Sutherland, E. De Grey in the Place of L. Stanley of Alderley, and E. Ducie, V. Strathallan, L. Calthorpe, and L. Wenlock added.

CLERICAL SUBSCRIPTION BILL.

(No. 111.)—Second Reading.

Order of the Day for the Second Reading read.

Earl GRANVILLE, in rising to move the second reading of the Bill, said, he would remind their Lordships that in consequence of the frequent discussions that had taken place on the subject of Clerical Subscription, Her Majesty's Government had thought it expedient to issue a Commission to inquire into the subject. The Commission was a very numerous one. It comprised many Members of their Lordships' House, four Archbishops, some other clergymen, and several laymen; and he might, he believed, say that the composition of that Commission inspired general confidence. Great attention was given to the subject, and he was happy to say that the conclusions to which the Commission came were the result of the unanimous opinion of the Members. The present Bill was founded on the recommendations of the Commission, and he hoped that it would meet with that reception at their Lordships' hands to which he believed if was fully entitled. It was the source of much satisfaction to Her Majesty's Government that the Bill had met with the concurrence of so many members of the Church of England. Although the Government did not think it necessary to consult Convocation upon the subject, he might say that the Convocation of York had addressed a memorial to the Queen, praying that legal measures might be taken for carrying out the recommendations of the Commission.

Moved, That the Bill be now read 2^a.—(*The Lord President.*)

On Question, *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

The Archbishop of CANTERBURY, who apparently had not observed that the Question had been put and agreed to, rose to address the House; and His Grace was, by the indulgence of the House, allowed to be heard, and said, that he rose not to make any observations on the Bill, but having been Chairman of that Commission to which his noble Friend had referred, he was anxious to express his great satisfaction that the Government had brought forward a Bill so entirely in concurrence with the Report of that Commission. It certainly was a matter of congratulation, that considering the Commission was composed of persons representing every shade of opinion, political as well as religious, within the pale of the Church of England, their recommendations should have been unanimous. The Commission was appointed to consider and revise the various subscriptions and declarations made by the clergy consistently with the declared agreement made by the clergy in the Church and its formularies. That they had endeavoured by the Report to do. There was, no doubt, a great multiplicity of subscriptions and declarations, and it had been endeavoured to bring them all under one form. He could not imagine that their Lordships would find any difficulty in giving the Bill a second reading.

PRIVATE BUSINESS.

Lord REDESDALE, in moving that the Second Report from the Select Committee on the Office of Clerk of the Parliaments and Office of Gentleman Usher of the Black Rod be considered, desired to direct their Lordships' attention to the present large amount of Public and Private business before Parliament. As yet only twelve Bills had received the Royal Assent, and there were a great number of Bills coming up from the other House. The number of Private Bills in their Lordships' House was unusually great, and an extraordinary number would probably be sent up from the other House at the very end of the Session. As their Lordships had determined not to give a second reading to any Private Bill after the 29th of March, it was necessary that they should make some arrangement for the proper despatch of the business. As the gentleman who had been connected with this Department for thirty-two years was not now equal to the great amount of work which would devolve upon him, he hoped their Lordships would consent to his receiving the temporary assistance of some barrister at a remuneration not exceeding 200 guineas.

Report considered, and *agreed to.*

House adjourned at a quarter past
Seven o'clock, till Monday
next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, May 26, 1865.

MINUTES.]—Select Committee — *Report* — Azeem Jah (Signatures to Petitions) (No. 317).

Supply — *considered in Committee*—Navy Estimates—Civil Service Estimates—Class ii.—Salaries and Expenses of Public Departments.

Public Bills — *Ordered* — Lunatic Asylums (Ireland) *; Militia Ballots Suspension *; Defence Act (1860) Amendment.*

First Reading—Inland Revenue * [169]; Lunatic Asylums (Ireland) * [171]; Militia Pay *; Defence Act (1860) Amendment * [176]; Militia Ballots Suspension.*

Committee—Dockyard Extensions [145]; Inclosure (No. 2)* [154]; Railways Clauses * [114].

Report — Dockyard Extensions * [145]; Inclosure (No. 2) * [154]; Railways Clauses * [170].

Third Reading—Local Government Supplemental (No. 3) * [152], and *passed;* Churches and Chapels Exemption (Scotland) * [147], and *passed;* Dogs Regulation (Ireland) * [151], and *passed.*

RAILWAY BILLS—(GROUP 8).

Mr. THOMPSON said, he rose to move that the Special Report on Group 8 of Railway Bills be referred to the Standing Orders Committee. It was a matter of great importance, so far as the public business of the House was concerned, that the proceedings in reference to Railway Bills should be in accordance with the

Standing Orders of the House. The number of Railway Bills was increasing instead of diminishing yearly, and nine-tenths of them were got up by engineers and solicitors who had got nothing to do, and the public were deluded into schemes that rested upon no solid foundation. The Standing Orders should be framed so as to put a stop to this as far as possible.

Motion made, and Question proposed,

"That the Special Report from the Committee on Group 8 of Railway Bills be referred to the Select Committee on Standing Orders, together with the Minutes of the Evidence taken before the said Committee on the 18th day of this instant May, with reference to the Skipton, Wharfdale, and Leyburn Junction Railway Bill; and that it be an Instruction to the Committee that they do report whether, in their opinion, the proceedings herein disclosed involve any infraction or evasion of the Standing Orders, or of the Act relating to Parliamentary Deposits."—(*Mr. Thompson.*)

SIR THOMAS WINNINGTON said, as a Member of the Committee, he would not offer any objection to the Motion.

MR. HENLEY said, the reference now proposed to be made differed completely from any of those references which had hitherto been made upon the subject. He thought the hon. Member's object would have been more properly obtained by having the matter referred to the Standing Orders Division Committee, instead of to the Standing Orders Committee.

MR. THOMPSON said, he had no objection to alter his Motion so as to make the reference to the Standing Orders Committee.

Motion, by leave, *withdrawn.*

SCHOOL REPORTS (IRELAND).

QUESTION.

MR. O'REILLY said, he would beg to ask the Chief Secretary for Ireland, Whether his attention has been called to the mis-statements contained in the Report of Inspector C. Graham, on the National School of Coote Street, Ireland, published in the Return laid upon the table of this House on 20th June, 1864; and whether he will have any objection to lay upon the table of the House copies of the letter of the Commissioners of National Education to the Rev. James Dunne, withdrawing these mis-statements, dated 1st April, 1865, and of the letter of the Rev. James Dunne to the Commissioners, dated 6th April, 1865?

SIR ROBERT PEEL, in reply, said, he had not yet had an opportunity of communicating with the Commissioners of National Education in Ireland upon the subject; but he was not aware that there were any mis-statements in them. However he would inquire into the matter.

MR. O'REILLY said, he wished to know whether there would be any objection to lay the correspondence on the table?

SIR ROBERT PEEL said, he should prefer communicating with the authorities in Ireland before giving any pledge.

UNITED STATES—THE "ALABAMA" CLAIMS.—QUESTION.

SIR JOHN WALSH said, he would beg to ask the First Lord of the Treasury, Whether Her Majesty's Government has received from the Government of the United States any formal and official demand for compensation to American subjects for losses sustained by the *Alabama* or any other Confederate cruisers alleged to have been equipped in British ports?

VISCOUNT PALMERSTON: Sir, a correspondence has been going on for some time—two years I think—between the Government of the United States and Her Majesty's Government an the subject of the prizes taken by the *Alabama* and other vessels of a similar character. Within the last few days we have received further communications from Mr. Adams on that subject, to which, of course, as yet there has not been sufficient time to reply. It is right to say that the whole correspondence, though each party has stated their respective views, has been carried on in very friendly and most amicable terms.

NEW MUSEUM OF NATURAL HISTORY.

QUESTION.

MR. DOULTON said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he will, before the House adjourns for the Whitsuntide holydays, lay upon the table of the House the Estimate for the New Museum of Natural History?

THE CHANCELLOR OF THE EXCHEQUER said, he could not lay upon the table any Estimate upon that subject until he should receive from his right hon. Friend the First Commissioner of Works intelligence to the effect that he and the Trustees of the Museum had come to some understanding with respect to the land on which the building was to be erected. The last statement that had reached him from his right hon. Friend was that he and the Trustees had not as yet concluded their communications upon the matter.

MR. DOULTON said, he wished to know whether the right hon. Gentleman could state any time after which he would not not bring forward that Estimate?

THE CHANCELLOR OF THE EXCHEQUER: I can only say, in general terms, that the last thing the Government would do would be to submit an Estimate at any period when the House could not give it a full and fair consideration.

ACCIDENTS BY GUNPOWDER.

QUESTION.

MR. A. F. EGERTON said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to bring in any Bill this Session to make Regulations with a view to prevent Accidents by the Explosion of Gunpowder?

MR. T. G. BARING replied, that such a Bill was in preparation, but as Reports on the subject had been so recently printed, and it was desirable to give the trade an opportunity of making any representations which they might desire to put forward, the Bill would not be introduced till after Whitsuntide.

THE SLAVE TRADE.—QUESTION.

MR. BAXTER said, he would beg to ask the First Lord of the Treasury, Whether, looking to the changed aspect of affairs in America, Her Majesty's Government, either separately or in conjunction with the Government of the United States, will consider the propriety of sending a squadron to the coast of Cuba, for the purpose of preventing the importation of slaves into that island, and thereby effectually putting an end to the African Slave Trade?

VISCOUNT PALMERSTON: Sir, some time ago Her Majesty's Government invited the Government of the United States to co-operate with them on the coast of Africa by sending out a squadron for the purpose of preventing the slave trade from being carried on. The American Government professed their perfect willingness to co-operate, but a difficulty arose in regard to the regulations then subsisting with respect to our neutral position on the one hand, and the admission of belligerent ships of war into our ports on the other. That difficulty could not be well overcome at the time. But in the present altered state of things in America Her Majesty's Government have renewed their applications to the United States, and have represented that their cruisers, employed for the purpose to which I have referred, would, of course, be received with every privilege and courtesy which are due to the cruisers of friendly nations. The difficulty which prevented the co-operation of the two countries some time ago is no longer an obstacle. No communication has been received from the United States with respect to a squadron at Cuba; but, if they assent to the arrangement respecting the West coast of Africa, no doubt they will co-operate with us regarding Cuba.

MASTERS OF THE ROYAL NAVY.

QUESTION.

MR. CORRY said, he rose to ask the Secretary to the Admiralty, Whether the proposed scheme for the abolition of the rank of Master, which the First Lord of the Admiralty has stated is to be laid before Parliament previously to its final adoption, will specify what increase it would occasion in the numbers on the Active Lists to which the Officers now in the Line of Masters would be removed; whether, in order to obviate stagnation of promotion from those Lists so increased it will provide for a proportionate increase of the Superior Lists; and whether it will comprise an Estimate of its immediate and prospective effects on the amount of the Vote for Half-pay and Retirement to Officers of the Navy?

LORD CLARENCE PAGET replied that the proposal of the Admiralty, which would be laid upon the table of the House, would give full information upon all these matters. He would take that opportunity of giving notice that it was his intention to move for leave to introduce three Bills —one for making better provision with respect to the wills of deceased Seamen and Marines; the second, for the better disposal of the effects of deceased Seamen under the control of the Admiralty; and the third, for the regulation of the Pay and Pensions in the Royal Navy.

SIR LAWRENCE PALK said, he wished to ask, when the scheme with respect to the Masters would be laid before the House?

LORD CLARENCE PAGET said, he could not then state, as the subject was a very difficult one; but he was anxious to produce it at the earliest possible moment.

In reply to a question from Mr. C. FORSTER,

LORD CLARENCE PAGET said, that no information had been received at the Admiralty of the loss of Her Majesty's schooner *Eclipse*, in New Zealand, but they had heard of the destruction of a private schooner of the same name.

AFFAIRS OF NEW ZEALAND.

QUESTION.

In reply to a question from Mr. A. MILLS,

MR. CARDWELL said, that the Despatches received from New Zealand by the last mail would be immediately printed and laid before the House. They would show that, in one instance, a friendly native chief had obtained a victory over a rebel native chief; that a rebel chief had been captured in another case. It might be agreeable to the House to learn that the Colonial Government had sent home £500,000 of their debentures, to be delivered to Her Majesty's Treasury on account of their debt to this country.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY—CASE OF LIEUTENANT COLONEL DAWKINS.—ADDRESS MOVED.

VISCOUNT PALMERSTON: Among other Motions to be made this evening on going into Supply is a Motion by the hon. Member for Devizes (Mr. Darby Griffith) with respect to the case of Colonel Dawkins. I think that after the discussions which have already taken place on that case it would be expedient, if possible, to give the hon. Member's Motion precedence of the other Motions on going into Supply. There are, I think, four Notices on the paper which precede that of the hon. Member for Devizes. Among them is one of a Motion relating to the Colonies, a subject which is likely to lead to a long discussion. If it be taken first it will probably throw the discussion on the case of Colonel Dawkins back to a late hour, and that, I think, would not be desirable. I would ask, therefore, the hon. Members who have precedence of the hon. Member for Devizes to postpone their Notices till after his; and I hope that they will still have an opportunity of moving their Motions at an early hour in the evening.

MR. NEATE said, he was the Member who stood first on the paper, and he was prepared to yield to what seemed to be the wish of the House upon the matter.

MR. MARSH said, he stood next on the paper with a Motion on the subject of the protection of our Colonies, and he would also give way to what appeared to be the wish of the House; although he believed that the question to which he had to direct their attention was a much more important one than any relating to Lieutenant Colonel Dawkins; and although he even thought that the latter subject ought not to be discussed at all in that House, or, that if it were to be discussed at all, it ought not to be discussed at the present time.

Mr. BLAKE and Mr. W. O. STANLEY also agreed to waive their right of precedence.

MR. DARBY GRIFFITH rose to move an Address for certain papers relating to the case of Colonel Dawkins. In the first place, he desired to express his obligation to the noble Lord for asking, and to the hon. Members who had consented to waive their precedence on the notice paper in order to afford him the opportunity of at once bringing the case of Lieutenant Colonel Dawkins under the notice of the House. It was a request he should not himself have ventured to make, and he had known nothing about the noble Lord's intention to make that appeal in his favour till the Secretary for the Treasury came and informed him that it was the noble Lord's intention to do so. As to the question which he was about to again bring under the notice of the House, he admitted that, as a general rule, it was not desirable to bring the discipline of the army before the House of Commons as a tribunal. The same might be said in respect of judgments in criminal courts; but extreme cases justified a departure from a general principle, and he contended that as the Imperial Parliament was, in fact, the highest appellate jurisdiction in this country, it was not expedient, where a proper and sufficient occasion arose, that that power should remain unexercised. In discussing the present question he must be allowed to observe that, so far as he knew, there was no precedent for an officer being put on half-pay against his own remonstrance, and against his refusal to make any election between going on half-pay and selling out, without a court martial. There were two well known cases in which measures of that kind had been taken by the authorities, but in both these there had been a court martial. On those occasions important facts had been brought out which had strongly attracted public attention, and public opinion had pronounced its verdict on the case. In bringing the matter before the House he had not been actuated by personal considerations, but merely by a desire to support a principle of great importance to officers generally, both those now in the service and those who might enter the service in future generations, and he thought such a question was worthy of being settled by the highest tribunal. The highest military authorities had not been exempt from the influence of that House in days past, in proof of which he might refer to what took place in 1809, when a Royal Personage Commander-in-Chief was arraigned before the public opinion of this House—no case could be quoted which would show more distinctly how the highest military authority could be made amenable to the power of that House. He contended that the power of the House of Commons in such cases was predominant. To show what has been the opinion of this House on the subject of the Office of Commander-in-Chief, in the year 1858, when the present Government was in Opposition, a Resolution was moved by Captain Vivian as follows:—

> "That although the recent consolidation of the different Departments of Ordnance, Commissariat, and Secretary at War has, to a certain extent, improved the general administration of military affairs, a divided responsibility still exists, and that in order to promote greater efficiency the Departments of the Horse Guards and War Office should be placed under the control of one responsible Minister."—[3 *Hansard*, cl. 1336.]

That Resolution was carried by a majority of 106 to 104, and it happened that his (Mr. Darby Griffith's) vote turned the scale in favour of the Resolution; for if he had voted the other way the numbers would have been equal, and then the Speaker would have been called upon to give the casting vote, which in a question involving an important change of principle would probably have been in the negative. On that occasion Mr. Sidney Herbert said—

> "The Secretary of State was responsible for everything done by the Commander-in-Chief—the Commander-in-Chief was, in fact, his subordinate officer. He (Mr. Sidney Herbert) was not making this assertion without book. When Viscount Hardinge was examined before the Sebastopol Committee, he said 'The Secretary of State's authority is supreme—he overrides me in every respect.' When he (Mr. Sidney Herbert) held an office very inferior in authority to that of the Secretary of State for War, he generally succeeded in carrying his point. In one instance he was obliged to yield, and why? Because Viscount Hardinge brought to bear against him a direct order of the Secretary of State, of which he had not been aware, and he was obliged to succumb."—[*Ibid.* 1349.]

Mr. Sidney Herbert thus endeavoured to show that indirectly the House exercised control over the military authorities, and that therefore there was no necessity for altering the law upon that point. The noble Lord now at the head of the Government also said—

> "Hon. Gentlemen spoke of the Commander-in-Chief as an irresponsible officer. He was irresponsible in so far as he was not represented by any person in that House; but he (Viscount Palmerston) could not constitutionally admit that any person who gave advice to the Crown upon the public service was an irresponsible officer. The truth was that the Cabinet—the Ministry of the day—were the parties who were responsible for everything that was done in any Department of the State; and though they might not and ought not to interfere in the daily and ordinary administration of the office of the Commander-in-Chief, yet, on any material points affecting the interests of the army, there would always be previous communication between the Commander-in-Chief and the responsible advisers of the Crown; and, in case of differences, their opinion, if deliberately, fully, and firmly expressed, was sure to prevail."—[*Ibid.* 1357.]

The language of the noble Lord, therefore, fully bore out the principle that the Commander-in-Chief was to be amenable to some superior authority. It was a singular thing that the present Secretary of War had been one of the Tellers for the majority on that occasion, and he was anxious to know whether his opinion had undergone any change since that period, or whether he still held the doctrine embodied in that Resolution? When, in 1857, his Royal Highness the Commander-in-Chief condescended to appear before the Commission appointed to inquire into the system of Purchase in the Army, he gave the following answers to the questions put to him by Mr. Sidney Herbert:—

> "There has I believe been no instance lately (of the exercise of the veto of promotion)?—No, not in my time. Nor in Lord Hardinge's time?—No, I think not. In the present state of public feeling your Royal Highness thinks that that power could not be exercised?—I think it would be extremely difficult to exercise it now. If the inspection returns were satisfactorily made, there would be no difficulty in your Royal Highnes's knowing whether an officer ought to be stopped in his promotion or not?—I see no difficulty whatever; but, as I said before, it must be backed by public opinion, otherwise, no man, in my opinion, could exercise that power."

Was it the fact that the action of the military authorities had been backed up by public opinion on the present occasion? On the contrary, both the public, the daily press, and the House had expressed a strong opinion adverse to the course which had been pursued. He would now turn to the Judge Advocate. When a question in reference to the subject before them was put the other evening in that House to the right hon. Gentleman (Mr. Headlam) who was a Member of the Government, and who was the peculiar organ of the military authorities, got up, and with all the feminine vacillation of a lady's waiting chambermaid, replied, something after such a fashion as this, "Oh, dear! Mr. Corkscrew, I know nothing at all about this subject. There was a row in the servants' hall, but it is as much as my place is worth to say anything about it, and I'm sure I can't give any opinion upon the matter either one way or the other;" and the matter had arrived at this stage without the House knowing what really was the hon. and learned Gentleman's opinion as to the law of the case. If such was to be the course of proceedings in the case of a man who was admitted to be an officer and a gentleman, and of whom even one of his accusers, Colonel Stepney, said that he was quite efficient for the duties of command, why should the House go through the solemn farce of passing Mutiny Acts and Acts for the regulation of the army when they were told that the Commander-in-Chief, or any other paramount authority, could by the misuse and perversion of the Royal prerogative —he was going to use a stronger word, but his respect for the Royal function restrained him — set them all aside? The Royal prerogative was at the present day merely a pious fiction, and the persons who were really responsible for its exercise, and who did really exercise that power without control, were the Ministers of the day. Another very remarkable case had recently occurred in the army. During the operations consequent upon the mutiny in India a gallant officer was ordered to maintain a certain most important post while Lord Clyde hurried on to Lucknow, and he was afterwards accused of having failed in his duty by abandoning that post. For many years he had suffered under that imputation; but it now appeared that there was in existence a despatch from Lord Clyde, dated the 29th of October, 1854, which fully vindicated that gallant officer at the expense of another, whose name he would not mention. That despatch had been kept in the recesses of the War Office precisely as the correspondence for which he was now moving, and other documents were kept back, and it was only after years of waiting, disappointment, and trial that this gallant officer, now Sir R. Windham, obtained from the military authorities permission to publish it, and had been thought worthy to receive the rank which had been withheld from him. Was not that military and social tyranny of the severest kind? There was another important point in this case. Until it fell to his lot to divulge the circumstance, it was entirely unknown that there was any want of unanimity on the part of the members of the Court of Inquiry. The other day he received a letter from a gallant officer, who had shown great moral courage in writing it, stating that he only signed the judgment under protest, and now he had obtained negative evidence which he thought justified him in assuming that another member of the Court had acted in a similar manner. It was generally reported that that gallant officer had signed the judgment under protest, and when inquiry was made of him his reply was as follows:—

> "I received your note the day before yesterday, and the servant who brought it was distinctly informed that there was no answer to it."

A negative answer like that was, he thought, quite sufficient for his purpose; if he declined to contradict the rumour, the natural presumption was that it was true; and it, therefore, appeared that the case was decided by the casting vote of the Chairman, who was undoubtedly a gallant veteran and an officer of great reputation and honour in bygone days. Of course, the House would understand that it was not his wish to say anything disrespectful of that gallant officer; but, as he received his first commission in 1794, the House would see that he must now be at least eighty-six or eighty-seven years of age, and it was, therefore, not right that the life—if it had been a court martial the life of an officer might have been at stake—fortune, or reputation of an officer should depend upon his casting vote. The charges which were made against this officer, of infirmity of temper and unpopularity, were so vague that it was, of course, quite impossible to disprove them. If hon. Members depended for their seats upon their popularity in that House, he should like to know how many of them would be returned again? He was convinced that he, for one, should soon create a vacancy. Fortunately, however, he had to refer to a more impartial tribunal, and they would see what would be the result. In order, however, in some way to meet the charges against him, Colonel Dawkins addressed the following brief circular to officers who had served in his regiment:—

"Dear——,—A point which has arisen in the present Court of Inquiry renders it necessary that I should ask you to be so good as to inform me whether I have ever quarrelled with you."

The circular was couched in those terms, because it was thought that the fact whether a quarrel had ever taken place was one which could be definitely ascertained. The number of replies which had been received was fifty-eight; of these fifty-two were favourable to Colonel Dawkins, and only six were unfavourable or questionable. Among others, the noble Lord the Member for Galway (Lord Dunkellin) sent this answer—

"March 26.

Dear Dawkins—Certainly you and I never quarrelled while I was in the Coldstreams, nor did even an unfriendly word ever pass between us."

There was also a letter from another noble Lord, who said—

"My Dear Dawkins—In reply to your letter of the 24th instant, received by me this morning, I beg leave to state that to the best of my recollection no quarrel occurred between us while I was in the regiment.—Yours truly,

Dangan."

Those were two out of the fifty-two letters to which he referred. There were others which were much more favourable to Colonel Dawkins, but he would not trouble the House by reading them. He did not like to trespass upon the time of the House, but he wished briefly to call the attention of hon. Members to those letters which were of an unfavourable character. One was from Colonel Freemantle, who alluded to his only cause of quarrel with Colonel Dawkins as having occurred at Rome five years ago, and it was thus worded—"Dear Dawkins—I had a quarrel five years ago with you at Rome." [*A laugh.*] He was not surprised to find the House laugh at a charge of so old a date. *Solvuntur risu tabulæ?* and he himself certainly thought it was absurd to rake up a matter which had occurred so long since; but the letter did not impute anything in the slightest degree dishonourable to Colonel Dawkins. The next letter was from an officer who, he supposed, was now a lieutenant-colonel, who said, "I cannot say that we ever quarrelled, because it takes two to make a quarrel, and I was not willing to be one." That was the epigrammatic way in which the matter was explained by that gallant officer; and it was somewhat curious that another officer, the hon. Percy Fielding, availed himself of the same formulary, and replied in precisely the same words; so that it looked as though these two officers had laid their heads together, and agreed what reply they should send, which no doubt appeared to them to be one of a very pointed and pungent character. He would not trouble the House with any further extracts, the charges of which were all of a trivial kind. There were only six letters which could be considered at all unfavourable to Colonel Dawkins, whereas there were fifty-two bearing the highest testimony to his honour, character, and good temper. As to the charge of unpopularity then, it was reduced to little or nothing. Colonel Dawkins had served some time abroad, and had thus been enabled to acquire a good knowledge of languages. It was always considered desirable that officers should make themselves acquainted with foreign languages, and therefore the fact of his having inadvertently not returned in time from abroad on one occasion was a venial offence. As an instance of the advantage of such knowledge he (Mr. Darby Griffith) could refer to the case of a gallant officer now returning from a command in India, Sir Hugh Rose, who owed his elevated position and appointment to attend at the head-quarters of the French army while in the Crimea to his being an accomplished linguist. As to the point relating to the Queen's Ball he (Mr. Darby Griffith) had already explained that matter. In that case the discourtesy was exhibited against him, and not on the part of Colonel Dawkins. In reference to the remaining charge, that Colonel Dawkins had refused to shake the hand of his superior officer on a certain occasion when the latter had offered it, he (Mr. Darby Griffith) believed that that arose also out of a mistake, But surely it formed no part of the discipline of the army that one officer was bound to shake the hand of another officer, even if proffered. A man's hand ought to be as sacred a portion of his person as a maiden's heart. To require a man to shake hands with another as an act of military duty was totally unknown to military law. Why it might as well be required that a girl should marry the man she did not love. But it was for that *quasi*-offence Colonel Dawkins was placed under arrest and for the illegal period of eleven days, his demand for a court martial having been refused, and all redress denied to him. He would now leave the subject in the hands of the House, and make the Motion of which he had given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of all Correspondence relating to the first Court of Inquiry on Lieutenant Colonel Dawkins in or about July 1864, including all Communications which have been made on the subject, from the Field Marshal Commanding in Chief to the Major General commanding the Brigade of Guards, during the interval between the first and second Courts of Inquiry which have been held on Lieutenant Colonel Dawkins, and up to the present time,"—(*Mr. Darby Griffith,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

The Marquess of HARTINGTON: I do not know whether it is necessary in the opinion of the House that I should follow the hon. Member who has just sat down through the first part of his speech, in which he attempted to defend the course he has taken in bringing a matter of this nature before the House for discussion; because when upon a former occasion the hon. Gentleman brought the subject forward almost every hon. Member who rose to speak—especially those upon his own side—commenced their speeches by observing that the question was one which, under no circumstances, ought to be introduced for discussion in the House of Commons. ["No, no!"] The arguments, I may add, which the hon. Gentleman employed this evening to justify the course which he has taken appears to be that inasmuch as the Commander-in-Chief is subordinate to the Secretary of State for War, and the Secretary of State is responsible to this House for the manner in which he administers the affairs of the army, therefore this House has a right to enter, when it pleases, into all the details of military administration. I quite admit the authorities which the hon. Gentleman has cited in support of his proposition that the Secretary of State is responsible for the administration of the army, and that the House has a perfect right to hold him responsible and, if necessary, to call him to account. It seems to me, however, that there is the greatest possible difference between the principle of holding a Minister responsible and maintaining the right of the House of Commons to express its confidence or want of confidence in that Minister, and the course now taken in entering into the details of the management and administration of the army. But as the opinion of the hon. Member on this point appears to be shared but by very few of those by whom he is supported, I do not think it necessary to pursue that part of the question any further, and the House will, I trust, allow me to proceed to the main subject at issue. Before doing so I must repeat the protest which I made the other night against what seemed to me to be the extremely unfair and scarcely courteous manner in which that subject was first brought under our consideration. I do not recollect an occasion on which a question of this kind, involving as it does considerations, not only of public importance, but also the character and reputation of several officers, some of them of high rank and position in the army, has been brought forward, and statements affecting them made, without due notice being given. It is quite true, as I admitted at the time, that the hon. Member gave me notice that he was going to put a Question on the subject; but, knowing as I did that according to the ordinary forms of the House no discussion could take place on the Question, I certainly contented myself—perhaps I ought not to have done so—with answering that part of the Question which it was in my power to answer, adding that I was not prepared to follow him through the details of the case. If the hon. Member considered that it was a question of such urgency as to lead him to take the extremely exceptional course of moving the adjournment of the House, it would have been easy for the hon. Member to inform me that he meant to do so at the same time that he mentioned he was about to put the Question.

Mr. DARBY GRIFFITH: I did not make up my mind till the afternoon of that day.

The Marquess of HARTINGTON: But whether the hon. Member gave me notice or not, I should equally have thought it necessary to protest against the introduction of the discussion without the fullest and most public notice, in order that those officers whose names were mentioned might have an opportunity of meeting the allegations. But what was the excuse made by the hon. Member for bringing forward this question in so unusual a manner. It was stated that, owing to the shortness of the notice which the Commander-in-Chief had given to Colonel Dawkins, it was indispensable that the Motion should be brought forward without delay. A very brief reference to dates will show how unfounded that assertion was. On the 26th of April Colonel Dawkins was sent for by the Adjutant General. The opinion of the Court of Inquiry was read to him and likewise the opinion of the Commander-in-Chief on that finding. He was personally informed of the course which it was intended to adopt, and the alternative offered for his acceptance was put before him. On the 4th of May the same information was sent to him in a written form; and Colonel Dawkins then requested that he might have further time allowed to consider the course which he should take. On the 9th of May Colonel Dawkins addressed an appeal to the Secretary of State for War against the decision of the Commander-in-Chief. On the 12th of May another letter was sent from the Horse Guards to Colonel Dawkins, requiring him to come to some conclusion on the matter; and on the 17th of May a letter was sent to him from the War Office stating that Lord De Grey declined to interfere with the decision come to by the Commander-in-Chief. On the 19th of May a final letter was sent to Colonel Dawkins, stating that in the opinion of the Commander-in-Chief sufficient time had been allowed for him to make up his mind, and requesting that he would at once intimate which alternative he was prepared to adopt. From the 26th of April to the 19th of May the subject was under the consideration of Colonel Dawkins; I do not think, therefore, that the charge of undue haste or precipitation in these proceedings can be supported. I believe I shall be able to show that all the other assertions of the hon. Gentleman imputing misconduct to the military authorities have as little foundation in fact as the one I have just referred to. I must ask the House to consider what is the nature of the power exercised by the Commander-in-Chief and which, in this instance, has been called in question; and, in doing so, I must ask the House to refer to the Report of the Commission on the system of Army Purchase in 1857, a passage from which has been read by the hon. Member for Devizes. In answer to a question put by the noble Lord the Member for King's Lynn (Lord Stanley)—

> "May not cases often occur in which a man has some notorious defect; it may be want of temper, or he is notoriously below the average understanding, a man whom it is very undesirable to appoint, and yet a man of whom it cannot be said that there is anything against his character to justify you in putting a stigma upon him and forbidding him to receive the regular promotion which he expected by right of seniority?"

The Commander-in-Chief said—

> "Certainly; but I am in hopes that by good inspection the Commander-in-Chief will be informed by the inspecting general, as I think it is his duty to inform him, that a man is from his temperament unsuitable for the command of a regiment; and if such a report came to me as Commander-in-Chief I should have no hesitation in saying, 'There is nothing against your character, but you are unfit from natural defects, and therefore you cannot be promoted.' I see no difficulty in it. At present there is the power, but it is not exercised."

The Commander-in-Chief, in reply to another question, said—

> "I see no difficulty whatever, but as I said before it must be backed by public opinion, otherwise no man, in my opinion, could exercise that power."

I should not have referred to that answer if I did not think that the hon. Member for Devizes—unintentionally, no doubt—had misrepresented the meaning of his Royal Highness. Any one who will take the trouble to read the whole examination will see that what the Commander-in-Chief meant was, that public opinion must back up the ordinary and usual exercise of the power, and not that the Commander-in-Chief should in each particular instance be backed up by public opinion. I am quite sure it never occurred to the Commander-in-Chief, when examined before that Committee, to suggest a proceeding of this nature, one of the most delicate that a Commander-in-Chief can be called on to engage in, should in every instance be submitted to public opinion. I believe that in this case public opinion will back up the Commander-in-Chief in the use which he has made of the power intrusted to him, and I am equally convinced that if public opinion does back him up it will be for the benefit of the public service. The Report not only recognized the existence of the power of veto, but expressed regret that it was not more frequently used; and went even further, for it recommended that a totally different system should be adopted, and that the appointment of lieutenant-colonels of regiments should be matter of selection. This, of course, would be very different from the system now in force. The Government of that day did attempt to carry into effect the recommendations of the Commission, but they were not supported by any party in the House to such an extent as would have been necessary to accomplish the suggested alteration. There were only two alternatives before the Commissioners—the one was that appointments should be made by selection, the other that the appointments should be made by seniority and purchase; and in the carrying out the latter system it was deemed necessary that the Commander-in-Chief should have power to exercise a veto in exceptional cases. I believe it has been stated in this House that the power of veto, although undoubtedly possessed, has now been exercised for the first time. But that is not the fact. I quite admit that it has not often been exercised. It is a power which obviously can be exercised only in extreme cases; but it has been exercised to a still greater extent than in the present instance—namely, in the case of officers actually in command of battalions, who have been removed without any court martial or inquiry, simply because, in the opinion of the Commander-in-Chief, they were unfit for the position. And there have been other instances in which senior officers of regiments have been placed on half-pay to prevent their succeeding to positions of greater responsibility. I am not going to name the instances in which this has occurred. It would, of course, be extremely invidious to point out individuals who were removed, not on account of any misconduct or for having committed any military offence, but simply because of want of qualification. There are two questions before the House—first, whether the House thinks this power ought never to be exercised at all, and that the command of a battalion—one of the most responsible positions in the army—is to go entirely by seniority, without any reference whatever to the qualifications necessary for the proper discharge of the duties; secondly, whether the House is prepared to remove from the Commander-in-Chief the responsibility of placing a veto on the appointment of particular officers, and to take upon itself the responsibility of saying when an officer is and when he is not fit to command a regiment. I believe there are Members who think this House would be quite competent to exercise this responsibility, and that it would be beneficial and for the interests of the House that it should exercise this power. I cannot say that I agree with those hon. Members. Still, if the opinion be entertained to any extent, the proposal ought to be discussed on its general merits, and not with reference to an isolated and particular case. For these reasons I think I should be justified in declining to discuss with the Member for Devizes the question of Colonel Dawkins's fitness or unfitness. But the line taken by the hon. Member and his Friends to prove that an injustice has been committed has been such that it is impossible for me to refrain altogether from entering into particulars. The line of defence appears to be this—that a cabal—

MR. DARBY GRIFFITH: I beg the noble Lord's pardon. I never used the word, nor did I suggest it.

THE MARQUESS OF HARTINGTON: I do not wish to impute to the hon. Member the use of that particular word. But it was certainly alleged that Colonel Dawkins had been very hardly treated by his brother officers. [MR. DARBY GRIFFITH: I said by the authorities.] The impression left on my mind by the discussion the other night was, that the complaint was that certain officers in his regiment had in the first instance taken a dislike to Colonel Dawkins, that they had persecuted him and made against him a series of trifling charges which were finally investigated by an incompetent tribunal, and that on the report of that incompetent tribunal he had been ejected from the service. That appears, as shortly as I can put it, to be the line of argument taken in defence of Colonel Dawkins. I think that in the interests of truth and justice, and for the reputation of those officers whose conduct has been assailed, it is necessary that I should enter very shortly into the history of this case. It is a great error to suppose, as many Gentlemen seem to suppose, that the Court of Inquiry was appointed to inquire into any charges which might be made against Colonel Dawkins; the fact is that the Court was appointed to inquire into certain allegations made by Colonel Dawkins against his superior officers. The facts of the case are these. For a great many years—in fact these things began in 1859—Colonel Dawkins had had serious misunderstandings, and sometimes disputes, with different officers in his battalion, some of whom were his superior and some his inferior officers. These were generally, as has been stated, of a nature extremely trivial—so trifling, in fact, that they were capable of being disposed of, and generally were disposed of, by the commanding officer of the battalion in the battalion orderly room; and they would have continued to be so disposed of, and nobody would have heard anything of them out of the regiment; but Colonel Dawkins was not willing that these occurrences should be so disposed of, and he himself, ever since 1859 or 1860, has addressed a series of letters to the Adjutant General, recapitulating the history of his differences with his brother officers, and requesting that the facts might be laid before the Commander-in-Chief, that what he considered to be the bad feeling of certain officers against him might be investigated, and that the Commander-in-Chief would give his opinion on the subject. Those complaints were investigated by the Adjutant General from time to time with such information as he could obtain, and Colonel Dawkins was informed of the result of the investigation. Colonel Dawkins never appears to have allowed any complaint he had once made entirely to drop. He might withdraw a letter and for a time appear satisfied with the decision; but as soon as a fresh difference of opinion arose he always brought forward and reiterated the whole of the charges which he had ever made before against any of the officers. One of the subjects of dispute between Colonel Dawkins and Lord Frederick Paulet at last became the subject of a Court of Inquiry last year, and a great part of the correspondence between Colonel Dawkins and the Adjutant General was laid before that Court of Inquiry for their investigation. They went into the subject, particularly with reference to the dispute which had occurred between him and Lord Frederick Paulet. In the particular instance which Colonel Dawkins had complained of, the Court came to the conclusion that Lord Frederick Paulet had misunderstood an order of the Commander-in-Chief with reference to Colonel Dawkins, and that he had somewhat exceeded his authority in declining to allow Colonel Dawkins to assume the command of a wing of the battalion at a review in Hyde Park. That opinion of the Court of Inquiry was concurred in by the Commander-in-Chief, and Colonel Dawkins. Lord Frederick Paulet, and the other officers of the battalion, were informed of the opinion of the Court and the concurrence in it of the Commander-in-Chief, and all the notice that could be taken of such an occurrence was taken. But the Court added to its report on this point an expression of opinion, that although they were not prepared to state that Colonel Dawkins was unfit to command a battalion, still the command by him of a battalion of his own regiment would not be beneficial to that regiment. That opinion appeared to the Commander-in-Chief to be extremely vague, and one on which he would not act, and he, therefore, directed Colonel Dawkins to return to his duty, and he addressed him himself, either personally or through the Adjutant General, stating that he was to return to his duty, and hoping that the disputes between him and his superior and inferior officers would henceforth cease. A few weeks only elapsed before Colonel Dawkins again brought forward complaints of exactly the same nature as the previous ones—reiterating, in fact, the previous charges which had been investigated by the Court of Inquiry. It then became necessary, and it had been necessary for a considerable period, in the opinion of the superior officers of the battalion, concurred in by the Commander-in-Chief, that on account of the peculiarities which he had shown, the command of the battalion should not devolve on Colonel Dawkins, although he was one of the senior mounted officers, even temporarily. Orders were given that arrangements should be made that, during the temporary absence of the officer in command of the battalion, the temporary command should not devolve on Colonel Dawkins—that he should be on leave, or some other arrangements should be made. This naturally appeared to the Duke of Cambridge to be a state of things which could only be temporary, without seriously prejudicing the regiment; and that Colonel Dawkins must either be released from this position, or more serious steps should be taken against him. His Royal Highness, therefore, sent for Colonel Dawkins, and stated to him that, after the charges he had made against his superior officers from time to time had been investigated by a Court of Inquiry, in his opinion he had failed entirely to make out any charge in the sense in which he had brought it forward, and he hoped, therefore, that Colonel Dawkins would withdraw at once and for ever all those charges, and would let bygones be bygones, and begin anew. His Royal Highness added, that, if he was willing to give such a promise, he would accept it as an earnest that he was more fitted than he had been to command the battalion, that he would withdraw the prohibition against his assuming the temporary command even, and that he would be placed in the position of any other officer of the battalion. It was hoped that Colonel Dawkins would assent to this proposal. He did not assent in words, but it was understood that he did virtually assent. However, soon after a letter was received from him, stating that he wished it to be understood that, with regard to the allegations he had made he withdrew nothing and retracted nothing. The matter had then come to such a point that nothing could be done but to have a full investigation of all these charges. One of the principal points was that Lord Frederick Paulet and several other officers had made false charges against Colonel Dawkins, which tended to his prejudice. Efforts were made to induce Colonel Dawkins to retract the charges he had made, or if he persisted in them to refrain from pressing them in an offensive manner. However, he insisted on placing the most offensive posssible meaning on the charges which he brought against these officers. There was nothing left, therefore, but to have an inquiry into the charges, and if a *primâ facie* case had been made out against Lord Frederick Paulet and the other officers implicated they would have been brought before a court martial. This is the Court of Inquiry which terminated a few weeks ago. The whole of the correspondence was laid before the Court. Colonel Dawkins was invited to state in what particulars he charged these officers with falsification, he was allowed the fullest opportunity for examining and cross-examining the witnesses, and he was allowed to make a final statement at the close. He himself, at the conclusion of the proceedings, expressed to the President and the Court his thanks for the patient manner in which they had heard him, and the full opportunity which they had given him to bring forward his case. The Court had not only to inquire into the truth of the assertions brought forward by Colonel Dawkins, but they were also directed by the Commander-in-Chief to state whether, in their opinion, his command of a battalion would or would not be beneficial to the service. The Court reported that in their opinion Colonel Dawkins had failed to substantiate the truth of the charges brought by him against his superior officers; in some instances that he had entirely failed, and that in every instance he had entirely failed to substantiate the charges of falsification in the sense in which he had made them. The Court also came to the conclusion, that under all the circumstances, the command of the battalion of Guards by Colonel Dawkins would be injurious to the public service. They added, and the Commander-in-Chief was most anxious that full prominence should be given to this addition—that nothing had come before them which was in any manner prejudicial to the character of Colonel Dawkins as an officer and a soldier. They were convinced that he had acted conscientiously and was fully persuaded of the justice of his complaints, and although they deemed them to be without foundation, they yet fully acquitted him of having knowingly brought forward any false charges against his brother officers. I now come to the alleged want of unanimity on the part of the officers conducting this inquiry. The report of the Court, the substance of which I have stated, was signed by the President and by every member of the Court. No written protest whatever was attached to that report, and the first intimation which the Commander-in-Chief or any other person had of any protest whatever was the letter of Colonel de Bathe, which, to their great astonishment, was read in this House by the hon. Member for Devizes. Of course, after that letter was read, it became necessary for the Commander-in-Chief to inquire under what circumstances this signature under protest was attached by Colonel de Bathe. Sir Alexander Woodford, and the other members of the Court, have been consulted by the Commander-in-Chief, and I have myself had an opportunity of seeing them. It has been said that Colonel de Bathe in every point of the inquiry advanced an opinion opposed to that of the other members of the Court. Now, I am informed that when the time arrived for signing the Report the President pointed out to the members of the Court in what way they could make their protest, if they wished to offer any against the opinion of the majority, and that before signing the Report Sir Alexander Woodford invited any member of the Court to make such protest if he desired to do so. Colonel de Bathe declined to make any protest, and signed the report as agreed upon by the majority without any protest whatever. It is also stated that another member of the Court, although he declined to write a letter to the hon. Member for Devizes on the subject, also signed the report under protest. I have seen three members of the Court, and the Commander-in-Chief has seen the whole of the members of the Court, and the whole of them have given the assurance that, with the exception of Colonel de Bathe, there was perfect unanimity on every point of the inquiry. Colonel de Bathe did, on one or two occasions, say "I protest," but these words were not used by any other member of the Court, nor was anything whatever said about a protest, either in regard to the signing or drawing up of the report. The allegation, therefore, as to a want of unanimity in the members of the Court is, it appears to me, utterly unfounded. The Court having thus reported as I stated, and the Commander-in-Chief being of opinion that Colonel Dawkins had failed to substantiate his allegations against his superior officers, was of opinion that there was no ground whatever for bringing those superior officers to a court martial. And, acting on his own knowledge of the transactions in the regiment for so many years, and upon his own knowledge of Colonel Dawkins' character, and being no doubt supported by the opinion of the Court of Inquiry, the Commander-in-Chief did decide that Colonel Dawkins was unfitted to take the command of the regiment, and that it would be prejudicial to the interests of the public service to allow him to remain in the regiment. He therefore decided on giving Colonel Dawkins — as had been done on former occasions — the option either of retiring on half-pay or by the sale of his commission. The Commander-in-Chief acted in this instance chiefly and mainly on his own responsibility, and his own knowledge of the circumstances, and from the reports he had received from the inspecting and other officers; and he does not wish to shelter himself behind the opinion of the Court of Inquiry, although, no doubt, their Report strengthened and fortified his conviction that Colonel Dawkins was unfit to command the regiment. These are the facts, and I submit that the Commander-in-Chief had the power, and was justified if he thought fit in using the power, of preventing Colonel Dawkins from obtaining the command of the battalion. I have shown that the statements which have been made in defence of Colonel Dawkins are erroneous, inasmuch that he has not been removed from the regiment on account of the trifling occurrences which are said to have occasioned the decision against him, but simply because a long series of correspondence and communications in which he has been engaged with his superior officers and with the Horse Guards has proved, to the entire and complete satisfaction of the Commander-in-Chief, that his notions of military discipline and subordination, and the terms on which he has lived with the officers of his own regiment, have been such that it would be highly injurious to the public service that he should be intrusted with the command of his battalion. I will not go into the trivial incidents that have been related, and the only one to which I will shortly refer is one that has been made the subject of attack upon a noble Lord who formerly commanded the Brigade of Guards. It has been said that Lord Rokeby acted illegally in placing Colonel Dawkins under arrest for refusing to take his hand. In the mess tent at Camp Ash, Lord Rokeby, having had occasion two days previously to speak somewhat severely to Colonel Dawkins on some matters of discipline, and wishing to show that he did not entertain any personal feeling towards him, twice held out his hand to Colonel Dawkins, and made some civil observation to him. Colonel Dawkins' attention was called by Colonel Chesney to the fact that Lord Rokeby was speaking to him; but he took no notice, except by rising from his seat and saluting him in a manner which was considered by Lord Rokeby and Colonel Chesney as highly insubordinate and disrespectful. Lord Rokeby did not take immediate action. He considered for half-an-hour or an hour what ought to be done. He consulted some officers, who agreed that the manner of the action was extremely disrespectful, especially considering that it took place before a number of junior officers. Lord Rokeby, as he was bound to do, then placed Colonel Dawkins under arrest. He immediately reported the circumstance to the Commander-in-Chief. [Viscount PALMERSTON here made an observation.] Yes, I ought to state that this arrest only entailed an absence from military duties. [Mr. DARBY GRIFFITH: And from mess.] He was not subjected to confinement. Lord Rokeby reported through the Lieutenant General commanding the camp to the Commander-in-Chief, and the matter was then out of his hands, and he had nothing further to do with it. From some cause which I am unable to explain—the Commander-in-Chief was either out of town or some other reason prevented the matterfrom receiving his immediate attention—the decision of the Commander-in-Chief was not received for eleven days after the original arrest. Lord Rokeby was not responsible in any manner for the delay, and the Judge Advocate General is, I believe, prepared to state that, under these circumstances, there was no illegality in ordering the arrest. The Commander-in-Chief, after inquiry into the subject, was of opinion that there was not sufficient ground for bringing Colonel Dawkins to a court martial, and ordered his release from arrest. It was purely accidental that the arrest was not taken off sooner. It is not to be imagined that Colonel Dawkins suffered any confinement whatever. On the second day, Lord Rokeby, finding that the decision of the Commander-in-Chief did not come down at once, said it was of no use keeping Colonel Dawkins any longer under arrest, and that until the decision of the Commander-in-Chief was received he had better go to London, where he could have a personal interview with his friends. Colonel Dawkins accordingly spent the eleven days in London, doing as he liked. I believe there was no illegality, and I am certain there was no hardship in the matter. That is the case as regards the story about Lord Rokeby. The explanation of the other circumstances would be quite as trivial—some are more so—and I do not think it necessary to go into them. Under these circumstances, I decline to lay the papers on the table. I do not think this House is a tribunal before which such questions ought to be argued, and except in so far as I have thought it my duty to clear the character of Lord Rokeby from imputation, I decline to enter into the other charges that have been raked up. The House will scarcely be prepared to hear that these circumstances happened five years ago. Seeing that the Commander-in-Chief has acted within his competence, and upon his responsibility, and that no case of injustice has been made out, this House would not be justified in taking the responsibility out of the hands of the Commander-in-Chief. I have now stated the real and true facts, as far as I have been able to learn them. I am not prepared to believe, nor will the House believe, as the hon. Member for Devizes and those who agree with him wish them to believe, the statement of tyranny and hardship towards Colonel Dawkins, or suppose that a number of officers belonging to the Brigade of Guards—men who have served all their lives in the Brigade, who are not only attached to the service generally but especially to that branch of it to which they belong, men against whose character no reflection was ever made—would combine together to make false statements affecting the character and prospects of an officer junior to themselves. Until I hear that such allegations are supported by very different proofs from any that I have yet heard, I prefer to believe that Colonel Dawkins, owing to some peculiarities of temper, has entirely misunderstood the acts of these officers, and that he has taken an entirely erroneous and mistaken view of their character and proceedings. I hope the House will decline to give these papers by such a majority as will prove not only that they do not believe those statements of tyranny and hardship, but also that they do not approve of cases such as this being brought forward for discussion in this House.

General PEEL: There are two points on which I think the House are almost unanimous, although, at first sight, those points appear perfectly antagonistic to each other. One point on which I think we are unanimous is that it is not proper nor convenient for this House to interfere in questions of discipline or to constitute themselves a court of appeal from the decisions of the military authorities. The other point on which I believe we are equally unanimous is, that if any individual has a grievance to complain of he has a right to come to this House for redress, let the consequences be what they may. Now, how are we to reconcile the action of the House so as not to interfere with the discipline of the army on the one hand, and at the same time not to refuse to hear those who may have a grievance to complain of on the other? The question may appear to be one of some difficulty, and it is to its solution I propose, with the permission of the House, to address myself. Nothing is more delicate or inconvenient than to interfere with the discipline of the army. It is a grave question, trenching on the prerogative of the Crown; because I think it is perfectly incontestible that the Crown has the power to dismiss or dispense with the services of any officer in the service. But you have a Minister responsible for the way in which the prerogative is administered; you have a right to demand from that Minister an account of his conduct; and I do not know how better to explain the difference between the exercise of the power by a responsible Minister, and the exercise of it by the House itself, than by quoting an authority which none of the hon. Gentlemen below the gangway on the other side will be disposed to dispute. Here is an opinion of the late Earl Grey delivered in 1812, and quoted in the Report on Military Organization. He says—

> "The whole notion of there being anything unconstitutional in bringing the army more under the Ministry of the day, seems to me to arise from a confusion between the powers exercised by responsible Ministers of the Crown, and powers exercised by Parliamentary Committees or some mode of that kind. Undoubtedly it was very unconstitutional in the Long Parliament that all the powers of the State should be assumed by Committees of the House of Commons, but that power over the army should be exercised by a responsible servant of the Crown, appears to me to be an absolutely essential principle of our constitution."

I agree in that opinion. The power of the Commander-in-Chief to exercise a veto on the appointment of commanding officers is clearly laid down in the Report of the Royal Commission on Purchase in 1857, and the very case now before us was anticipated in the question of the noble Lord the Member for Lynn which has been read to you by the Under Secretary for War. I have quoted one Earl Grey; I will now quote another. The present Lord Grey, in his answer to question 3,983 by that Commission, said—

> "I am bound to say I think in our service hitherto there has been want of sufficient firmness in refusing promotion to those who did not deserve it. Some very remarkable instances of that came under my notice when I held the office of Secretary of War."

In reply to Question 238, Sir Charles Yorke said—

> "Not unless he was qualified; an officer would not be allowed to obtain it by purchase who would not be allowed to obtain it without."

Again, Mr. Ellice asked this question—

> "If the Commander-in-Chief did not conceive that a major reported ready to purchase was not fit to be intrusted with the command of a battalion, he would not permit him to purchase?"

To that question General Browne made this reply—

> "Certainly not; he would fail in his duty if he did."

Another question was asked in these terms—

> "It would be a very strong case, would it not, when a General made a report that an officer having risen to the rank of major, was not fit to purchase the next step on?"

Colonel Stuart replied—

> "Very strong, indeed, and I think it is a pity it should be so. I think if those things were more looked into, and less delicacy and indulgence exercised, it would be better for the service."

The hon. Member for Devizes (Mr. Darby Griffith) without any notice whatever in the first instance—a proceeding which he has since endeavoured to justify by stating that it was impossible for him to give notice, though I think the noble Marquess has shown that at all events the impossibility did not exist so far as Colonel Dawkins himself was concerned — asks the House that the decision of the Commander-in-Chief may be suspended until there is further inquiry. I ask what further inquiry? The hon. Member says a court martial. I ask you, are you prepared in direct opposition to the Report of the Royal Commission, and in direct opposition to the opinions of the authorities I have quoted, to say that no person is to be prevented from taking the command of a regiment unless he shall have committed a military offence? Are you prepared to hold that unless he has committed a military crime, for which he ought to have been cashiered, no officer is to be hindered from advancing to the command of a regiment? And if you are prepared to say that, are you still prepared to hold the Commander-in-Chief responsible for the efficiency of the army? It is argued that this is a hard case, and, therefore, that it justifies your interference. No doubt any officer who was prevented from purchasing the next step would consider the case a hard one, and no doubt he would be able to put forward *ex parte* grounds to show it was a hard case. But are you prepared to go into those cases, and reverse the decision of the Commander-in-Chief? How is the Commander-in-Chief to answer you? By laying on the table of the House the confidential Reports of the Inspecting Officer? If these Reports are to be laid on the table, for how long a time do you think they will continue to be confidential and made with the freedom and fulness without which they are useless? I say that hardship is not sufficient. You must have a grievance, and there is no grievance as long as what has been done is in conformity with the rules of the service and within the authority of the Commander-in-Chief. You must show that the Commander-in-Chief has exceeded or abused his authority—then any Member of the House of Commons has a right to come down to demand justice. My hon. Friend the Member for Devonshire asked, the other night, whether what had been done in this case is legal—because if it is you have nothing to do with it—if it is not, let inquiry be made. The way in which I would solve the difficulty is this—I would not inquire into individual cases of hardship; nor would I act on *ex parte* statements of a real grievance; but if it is shown that there has been a gross violation of the rules of the service, then move a Vote of Censure on the Minister. Votes of Censure ought not to be brought forward on light grounds—they ought to be supported by a strong case; but if you can show that there has been guilty conduct, I for one would be ready to make the Secretary for War responsible, and censure him. With this view of the matter it is not necessary for me to go into the case of Colonel Dawkins. I do not know him. I know other officers who have been referred to, and I may have a feeling against him from what I have heard from them. But this is not the case of Colonel Dawkins; it is the case of the military authorities. The Minister had no difficulty in dealing with it, because the noble Earl the Secretary for War had all the papers submitted to him, and had, therefore, an opportunity of coming to a contray decision to that arrived at by the Commander-in-Chief if he thought fit to do so. I am totally against the Secretary for War interfering with the discipline of the army; but when he is appealed to he has his own military authorities to consult independent of the Horse Guards; he has an opportunity of forming an opinion; and he is responsible for it. And here I would observe that I think this case affords another illustration of the inconvenience arising from the circumstance that the Secretary for War is not in this House. No one can be more ready to do justice to the great ability of the noble Lord opposite (the Marquess of Hartington) than I am; but when the question about this affair was asked the other night, he was obliged to admit that he knew nothing about it; and, in saying he knew nothing about it, he led the House to believe that the noble Earl the Secretary for War knew nothing about it either. If the Secretary for War were in this House, he would have been able to tell you that the decision was not a hasty one, but a matured decision of the Commander-in-Chief, approved by the Secretary for War. I believe if that statement had been made, there would have been no division; I think if the Judge Advocate had answered what I think was the simple question put to him, there would have been no division; for the House would have been able to come to the decision to which I hope they will now come, not to interfere in this particular case and to refuse the papers which have been asked for.

Mr. HEADLAM said, he wished to explain that the reason why he did not answer the question put to him the other night was that when he came down to the House on that occasion he had no official knowledge of the case, and though he had heard statements respecting it buzzed about, he had refrained from making inquiries, thinking that it might come before him in his official capacity. On that occasion it was stated by the hon. and gallant Member for Dungannon (Major Knox) that he had given a legal opinion on the case. Upon that he (Mr. Headlam) stated that there was no foundation whatever for the statement, and that he had given no opinion whatever upon the subject. When the hon. Member asked him whether he would undertake to say that the proceedings before the Court of Inquiry as well as the sentence were strictly legal, he, knowing nothing whatever about the matter, gave no opinion, or perhaps replied in a vague manner. He did not think it would have been right for him to have stated absolutely that the proceedings were regular or irregular when he had received no information on the point.

Colonel DICKSON said, that having already on the former debate expressed a decided opinion with regard to the treatment of Colonel Dawkins, he now rose only to express his regret that the Government had not interfered to put a stop to the unfortunate cause of dispute between that House and the military authorities, which must be most injurious to the service, and which might eventuate in one of those great military scandals which were so much to be deplored. He perfectly agreed with the observation of the Under Secretary for War as to the inconvenience which would arise were that House to interfere with the authorities at the Horse

Guards in reference to the discipline of the army. The army was a Royal, and not a Parliamentary army, and the interference of the House should be limited to the discussion of the annual Vote of Supply in which they had an opportunity of expressing their approval or disapproval of its general administration. In his opinion it was beneficial to the State that the army should be commanded by a Prince of the Blood, who was above party influence, and who by his zeal and ability had proved himself worthy of his position, and by his amiable qualities had endeared himself to every portion of the community. But, while deprecating direct interference with the discipline of the army, he thought the case of Colonel Dawkins was one deserving consideration, and perhaps redress. All he asked was that the military authorities should further consider the question and that the papers asked for should be laid upon the table, so that the country might have an opportunity of forming an opinion upon the subject.

MR. W. O. STANLEY said, he should have had no fault to find, had the Commander-in-Chief refused to permit Colonel Dawkins to take command upon private information only; but he felt bound to protest against the tribunal before which that gallant officer had been tried, and against the trumpery charges brought against him. The Commander-in-Chief was bound to make inquiries to satisfy himself that the officers commanding Colonel Dawkins had done their duty.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

PROTECTION OF THE COLONIES.

OBSERVATIONS.

MR. MARSH, in rising to call the attention of the House to the protection of our Colonies, and the advantages we derive from them, said, the position he intended to take up was that our colonial system was the best and cheapest method that could be devised for the protection of our enormous commerce, and that without it we should require depôts for coal and garrisons all over the world, as, in fact, was now the case in those seas where we had no colonies. It appeared from a blue-book he held in his hand, coming down to the year 1862, that the amount of our import and export trade including the registered export and import of gold and silver, amounted altogether to £501,000,000 per annum—and at least 20 per cent might be added for the increase since 1862—but hundreds of ships making short voyages to the Continent and back were not included in that Return, and neither were the ships engaged in the vast trade between India, China, and Australia, which could scarcely amount to less than £100,000,000 per annum; thus raising the total value of our commerce to upwards of £600,000,000. Besides the protection of our own commerce, we had taken upon ourselves the police of the seas. Ships only were of no use for these purposes; in these days of steam it was necessary that we should have depôts of coal and places where ships could refit, with garrisons to protect them; and what he maintained was that if we had not colonies, we should be forced to have arsenals and garrisons all over the world. In the absence of colonies, we already maintained such military stations as Gibraltar, Malta, Bermuda, and Hong Kong; and a similar policy was adopted by other countries—France, for instance, having the Isle of Bourbon, Pondicherry, the Marquesas, Tahiti, the Isle of Pines, and New Caledonia, in which, he believed, there were more troops than in all our colonies put together. It was not possible to ascertain in all cases what was the cost of protecting our commerce where we had colonies, and what it amounted to where we had none; but in some instances a tolerably accurate idea might be formed of the difference of the cost in the two cases. Our exports to China and Japan were in value £3,237,000, and to protect that commerce we had a garrison of 1,300 men at Hong Kong, a regiment of soldiers in Japan, he supposed some troops at Shanghai or on the mainland of China, eighteen ships, and twenty-three gunboats. Occasionally we had a little war with China, and there was a bill to pay for powder and shot; and we had also had to blow a town about the ears of some Japanese chieftain. Now, on the other hand, the value of our exports to our four great colonies in Australia was something like £9,000,000; the garrison of those colonies did not exceed 500 men, who were partly paid by the colonists themselves, and we had there but three ships, mounting only thirty-nine guns. To the western coast of South America our exports were £2,700,000, and we had there five ships, mounting 105 guns. He gave this as an illustration of the general fact;

but he might remind the House of another item of saving, because by the possession of our colonies we saved the expense of diplomatic and consular establishments. A great deal had been said about the enormous expense of the military defence of our colonies, but he thought that he could easily convince the House that a good deal of it was nonsense. Malta and Gibraltar had been put down as colonies, but they were really not colonies at all; no more were the stations upon the coast of Africa, and it was precisely because they were not that they were so expensive. As to the Cape of Good Hope, the question was a mixed one. We retained that possession at the end of the great French war, because it afforded a convenient stopping place for our ships; and if it had been a barren rock upon which no colony could be established we should have had to keep up a garrison there. The necessity for our sending troops to garrison the frontier arose from our having, as we supposed, in the interests of virtue and humanity, put an end to the commando system, by which the settlers used formerly to defend themselves against the Kaffirs, and he supposed that now the Kaffir war was at an end part of the troops would be withdrawn. Among the good things done by the present Government he regarded it as not the least important the placing a friendly chief between the Kaffir frontiers and the settlers — a step which he thought likely to prevent future wars. Be that as it might, there had been great exaggeration as to the number of troops at the Cape, which did not exceed 4,719 men — much less than the garrisons of Gibraltar and Malta. The Mauritius was retained at the end of the great French war because our commerce had suffered greatly from privateers and cruisers, who had made it their resort, and if it had been a barren rock we must have garrisoned it, as well as provided and paid the civil servants who would have been found necessary. Ceylon was scarcely a colony. Hong Kong was certainly not one, and Western Australia and Van Diemen's Land were removed from the category of ordinary colonies, one by being and the other by having been till very recently a penal settlement. In the four great colonies upon the Australian continent soldiers were, in his opinion, but little needed. The colonists had a good Volunteer force; it was impossible to suppose that any one would invade Australia with a view to overrun it from the landside, and its ports could be best defended by means of floating batteries of light draught. He passed over New Zealand, because the question of defence of that colony had been amply discussed in the House a short time ago, and also because New Zealand was in a state of transition, the colonists having made an offer to take the war into their own hands and pay all the expenses. At the Falkland Islands there were very few colonists. As to the West Indies, he would observe that even if there were no colonists at all it would be necessary to keep up there garrisons to prevent them from becoming a nest of privateers and buccaneers as they formerly were. He came in the last place to our great North American Colonies, and their case was somewhat peculiar, inasmuch as they had on their frontier a great, civilized, and, he was afraid, a warlike nation. He did not, however, share in those fears which appeared to have been so generally entertained, that the United States, wearied after a long contest, would proceed to attack our North American possessions, and he felt sure if they did they would be boldly resisted by men whose origin from the two noblest and bravest races in the world led one to suppose that they would combine with the steady courage of the Englishman the gallant onslaught of the French. He now wished to say a few words on the general advantages of colonies. And first, on the subject of emigration to those and other colonies, he would observe that, without being a Malthusian, he must admit that in any society which was in a healthy state there must be found in the population a tendency to increase. The difficulty which in consequence arose was met in some countries by what was called the prudential check; while in this country it was to a great extent met by emigration, it being calculated by a high authority, Mr. Herman Merivale. that one child in six born in this country was provided for by that means. Hitherto the United States of America had been the great field for emigration. Now, if people emigrated at all it was better, he contended, that they should go to some of our own colonies, where they would, in process of time, become our best friends and our best customers, than that they should go to swell the number of some other nation. To show what good customers our colonies were, he might mention that our exports to the West Indies were nearly as great as to the magnificent Empire of Brazil; that our exports to India were £15,000,000, whereas to China and Japan, with a much larger polation, they amounted to only £3,237,000; and that to the two gold colonies of Australia they were £8,000,000, whereas to California they amounted to only £430,000. Then, supposing we were in any difficulty with regard to any raw product for machinery, he would like to know whether we should go to foreign countries or to our own colonies first. Take, for instance, the case of cotton. The world had been ransacked for cotton—a product which grew in perfection in many parts of the globe. Now from the Mediterranean, including Turkey and Egypt, the quantity we had got was 107,000,000 pounds; from Brazil, 22,000,000 pounds; and from China, 30,000,000 pounds. Whereas from our Indian dependencies we had obtained 434,000,000 pounds. The same general argument would hold good with respect to hemp and wool. There were those who said that inasmuch as our colonies must separate from us at some time or other, the sooner we got rid of them the better. He did not endorse that view; and assuming that separation must some time take place, he did not see that there was any reason why we should be in a hurry to throw them off. It was something to have a great Empire, though the idea was one at which the utilitarian might laugh.

Mr. BAZLEY said, the hon. Member had made a most specious statement, advocating protection for our colonies and countenancing a system of extravagance which he hoped the Government would not be prepared to sanction. He had been trying to show that the colonies were of vital importance to the commercial interests of the country; but he would like to know, in the presence of the fact that, while the world at large took £110,000,000 of our exports, and the colonists only £50,000,000, which were the best customers? He was not, however, on that account prepared to say that we ought to draw from our colonies all reasonable support, but he was opposed to anything like extravagant expenditure in their support. With respect to the cost attending the transactions, it was relatively much greater with the colonies than with the rest of the civilized world. He granted that, to some extent, they did receive a supply of raw materials from the colonies, because merchants here did not send out their goods without expecting to receive some return. What defence did we need for the £8,200,760 we sent to France, the £13,373,131 we sent to the Hanse Towns, or the £16,704,080 we sent to the United States of America? With regard to emigration, the emigrants, especially from Ireland, preferred to seek an asylum in the United States of America to going to any of our colonies, where great inducements were held out to them to settle. Under the Homestead Bill the American Government offered to a man with a family a gift of 160 acres of land. Where did we find an inducement of 160 acres, 100 acres, or even 50 acres of land, offered to our people to go and settle in one of our colonies? With regard to the cotton supply in 1860, when the American disruption took place, we were receiving 85 per cent of the raw material grown by slave labour in the Southern States; 8 per cent from Egypt and other independent sources, and the paltry supply of 7 per cent from the East and West Indies. He could not understand his hon. Friend being guilty of such a misdirection of his energy and talent as he had been in the case he had endeavoured to make out that evening. He hoped that by the system which would be pursued in future the colonies would be rendered less dependent on British expenditure, that they would be brought to feel their own weight and their own power, and, left to themselves, that they would become as great and important as the States of America had grown since they ceased to be colonies of Great Britain. He thankfully admitted that in the article of sheep-wool we had already received important contributions from Australia, and the woollen trade in this country would have been in a most impoverished state instead of the prosperous condition in which it had existed for many years, had it not been for their supplies. But if the colonies as a whole were thrown on their own resources they would learn new lessons of self-reliance, and would offer inducements to settlers to come out and help them. The hon. Member for Salisbury (Mr. Marsh) was about to proceed to Australia, and it was to be hoped that he would go out as a missionary from the mother country, and in holding out the right hand of fellowship to the colonists would make them understand that they ought not to exact from us heavy duties, as if we were adverse to their interests. Canada, for instance, had placed extravagant duties on British manufactures, and the same spirit of exaction pervaded the whole of the British colonies. If it were known that the Home authorities were determined in future not to show favour to the colonies, but to do them full justice, they would, he believed, become more prosperous than by any other means.

Mr. CARDWELL said, the hon. Member for Salisbury (Mr. Marsh) spoke with authority on Australian subjects, because he spoke with the special knowledge of a personal residence in the colony; but he did not think there was any irreconcilable antagonism between the views of hon. Members who had addressed the House. The hon. Member for Salisbury had not said that there was any claim on the part of the colonists for that assistance from the Imperial Exchequer which the hon. Member for Manchester (Mr. Bazley) so justly deprecated; but, at the same time, he showed the great advantages which, as a colonist, and as a Member of that House, he perceived in the existence of numerous communities scattered over many of the most interesting and fruitful parts of the world, consisting of those who sprang from our loins, carried our learning across the seas, reproduced our institutions, looked to the same fathers of literature, read our press, participated in the advantages of our postal system, and were, in fact, creating and maintaining communities of the same feeling and origin as ourselves in the most distant parts of the world. All must agree that advantages not merely material, but moral and political, were derived from the existence of these colonies, though these advantages could not be measured entirely by statistics. He had not understood the hon. Member for Manchester to discourage in any degree the maintenance of the most intimate relation with our colonies, the cultivation of friendly feelings with them, or the rendering to them of the many inestimable services which the mother country always had it in her power to afford. But the hon. Member contended that in carrying with them English institutions they also carried with them the independent, honest spirit which was the first characteristic of Englishmen, which was the foundation of the power and glory of the Empire. It had been said that formerly we taxed the colonies, but that now the colonies taxed us; and, no doubt, for many years it had been necessary to lay before Parliament Estimates which were really a tax upon the mother country, for the benefit of her colonies; but that principle had been settled long ago in a contrary sense, and he did not think any Estimates had more rapidly and continuously declined of late than the civil Estimates for colonial services. It might fairly be said the principle had been established that the colonies ought to be self-supporting, and that if any Vote were now taken for the benefit of the colonies it should be justified on strictly exceptional grounds. During the year 1861 an important Committee sat, under the auspices of an hon. Friend on the opposite side of the House (Mr. Arthur Mills), to consider the question of Colonial Military Expenditure. That Committee passed the colonies in review, distinguishing those of Malta, Gibraltar, Bermuda, and others, which were military strongholds, which the country was compelled to keep up for naval stations, or purposes not strictly those of colonization, from those which might be called colonies proper. The Committee laid down very clearly what was the expenditure on the colonies proper, and pointed out what, in their opinion, were the reforms and improvements of which the system was capable; stating, however, that it must be a matter of discretion with the Government how far those suggestions could be carried into effect. In the following year a discussion took place upon the Report of the Committee, the Chairman of which disclaimed on their part any intention of weakening the tie binding the colonies to the mother country; and a Resolution was agreed to which, though it referred only to colonies having representative institutions, might be taken as showing that the House of Commons approved the Report of the Committee. That Resolution was passed in 1862; and last year the House having occasion to deal with the very unsatisfactory state of things in New Zealand called on the people of that colony to make a substantial contribution towards the outlay upon troops remaining there. The Ministers and Assembly of New Zealand expressed their wish that the whole of the troops might be removed at the earliest possible period, and the defences of the colony intrusted to a colonial force, at the sole expense of the colony; but at the distance of half the globe arrangements required some time to complete, and this new policy was not yet wholly carried into effect, but it had been so far adopted as to show that the Government was not indifferent either to the wishes of the colonists or to the recommendation of the Committee of the House of Commons. The effects of the war in New Zealand had been to drain almost completely the neighbouring colony of Australia of Imperial troops; and if they returned there it would be on the understanding that a substantial contribution should be made towards their cost. The Committee also recommended that the number of troops in the West Indies should be diminished. But the force in those Islands was governed by the force on the West Coast of Africa, the unhealthy nature of which station rendered necessary the keeping up of large reliefs. The forces, however, on the West Coast having been reduced, a corresponding diminution had taken place in the force hitherto maintained in the West Indies to the extent of one of the five West India regiments; and the result would be seen in the Estimates of this year. A Committee was now sitting, and when its Report had been laid on the table it would be for them to say whether a further reduction might take place in the troops on the West Coast of Africa, and also in the West India regiments. Those who were curious enough to read the papers delivered to Members every morning might have observed that in regard to three Crown Colonies—Hong Kong, Mauritius, and Ceylon—he had already been engaged in requiring from those colonies contributions towards their military protection. So that it would be found that there was scarcely one of the recommendations of the Committee which had not already engaged the attention of the Government, and in regard to which some progress had not been made. At any rate, it was accepted as their principle and guide that the rule laid down by the House in 1862 should be carried into effect by the Imperial Government. The hon. Member for Salisbury (Mr. Marsh) had alluded to the Act passed in the present Session to enable the colonies to make better provision for their own naval defence; and it so happened that by that day's mail that Act, together with certain regulations which the Admiralty and his own Department had suggested, went out to the Australian Colonies for their adoption. That Act, no doubt, must come gradually into operation, because it established a new principle, and it was to be hoped that it would be the solution of difficulties which had for many years proved insuperable. It was an important fact in the history of this country in connection with its colonies that she was calling upon them, by an Act of the Imperial Legislature, to make provision for their own defence by sea, where danger, as his hon. Friend had justly observed, was most likely to threaten them than from any attack by land; and that, while offering these facilities and opportunities for making such preparations, she held them responsible for their own security. All who have joined in or listened to that discussion — those who sympathized with the hon. Member for Salisbury, and those who sympathized with the hon. Member for Manchester—could, he thought, arrive at the unanimous conclusion that they had highly valued the connection between the colonies and the mother country, that they were sensible of the great advantage of having those free, industrious, and enterprizing communities sharing their own blood, their own language, and their own laws, settled over the whole world; but that they also expected from them that spirit of independence and self-reliance which was the first prerogative as well as the first characteristic of an Englishman; that, as a policy of freedom, affection, and attachment had been substituted for one of coercion and Imperial control, and as Great Britain was ready to render them every aid which could fairly be required from her, so in return she would look to the colonies for energy, self-denial, and self-reliance, and that, helping themselves and doing their duty by the mother country, they might feel confident that she valued them in the highest degree, and would faithfully fulfil all those duties which an affectionate parent owed to her offspring.

MR. J. B. SMITH believed that the colonies were more indebted for their peace and prosperity to the mother country than she was indebted to them; but that to flourish in a healthy and enduring manner communities, like individuals, must be self-reliant. The tide of emigration, however, had set in towards the United States rather than towards our own colonies, because the American Government had passed what was called the Homestead Law, giving land to settlers for nothing. Under those circumstances our enterprizing fellow-subjects would not go to distant colonies, where they had to pay £1 per acre for land.

POOR FISHERMEN (IRELAND).

QUESTION.

MR. BLAKE said, he wished to ask the Secretary to the Treasury, Whether that portion of the Act 5th *Geo.* IV. c. 64 s. 9, which empowers the Lord Lieutenant—

> "To apply a sum not exceeding five hundred pounds in any one year in providing materials for the repairs of boats of poor fishermen at such ports and places where quays and piers are or shall be built."

Under the provisions of the said Act, is not still in force, and whether he can state when the last grant was made under the Act. It was his (Mr. Blake's) belief that the sum of five hundred pounds per annum was still legally available for the purpose for which it was originally intended, and complained that it was not so applied. He also urged the necessity of placing the Fishery Department in Dublin in a more efficient state.

MR. PEEL said, his own opinion, after taking some pains to examine into the question, was that there was no power in the Act to which the hon. Member had referred, or in any other Act, to authorize the payment of a sum of £500 per annum towards the assistance of poor fishermen in Ireland. An Act was passed in the year 1819 which gave the Lord Lieutenant the power of issuing to the Commissioners of Fisheries in Ireland an annual sum of £5,000 for the construction of fishing piers and harbours ; but that Act was only to be in force for five years from the end of the next Session of Parliament, and it accordingly expired in the year 1825. It was then renewed until the year 1830; when, under a new arrangement, a body was created, called the "Directors of Inland Navigation." The Lord Lieutenant by the Act of 1830 was authorized to issue to the Directors of Inland Navigation for the completion of piers which had already been commenced a sum of £13,000, which was to be expended in a period extending over five years ; and since the expiration of those five years the Lord Lieutenant had no money at his disposal which he could devote to that object.

PIERS AND HARBOURS (SCOTLAND).

QUESTION.

MR. R. W. DUFF : Sir, I rise for the purpose of asking the Secretary to the Treasury, Whether, in consequence of the recent great loss of life among the Fishermen while pursuing their trade on the east coast of Scotland, it is the intention of the Lords of the Treasury to give effect to the Report addressed to them by Special Commissioners in February, 1857, recommending that an additional sum be granted for the construction of Piers and Harbours under the direction of the Fishery Board of Scotland? The reason which has induced me to ask this question is the fact that enormous loss of life has occurred among the seamen on the east coast of Scotland ; and, also the fact that I represent a county on the coast of which there are many villages in which the rate of mortality from this cause has been to my mind most appalling. But I should not have ventured to appeal to the House upon any special, much less upon any local reason, had it not been for the recommendations of the Special Commissioners in 1857. I do not think the public are at all aware of the large amount of loss which is incurred on the north-east coast of Scotland. I am not going to trouble the House with many statistics—in fact, I shall confine myself to my own county, for there I can vouch for the accuracy of the statistics I give, as I know almost every individual case of which I am about to speak. On the night of the 23rd February, 1857, out of three villages, the whole population of which only amounted to 640 persons, no less than 41 fishermen were lost. These men were all lost in one night—being 7 per cent of the entire male population of the parish, and they left 27 widows and 79 children. Between the period to which I have alluded and the present time there have been various casualties, and yet the Government have, in the meantime, paid no attention to the recommendation of the Commissioners. I believe many persons would have contributed towards the erection of a harbour if the Government had acted in the matter ; and it is to the non-existence of a harbour of refuge that I attribute the loss of the lives of many of these men. Had a harbour of refuge existed, I firmly believe the lives of many of them would have been saved, and much desolation and misery thus prevented. On the 27th October, there were 27 men drowned in one night ; and on the 8th February there were 8 more—making a total of 35 lost out of a population of 500, leaving many widows and children behind them. I do not ask the Government to give any special grant, but I maintain that if they will adopt the recommendation of the Commissioners, and allow a larger sum to be given to the Fishery Board for the construction of piers and harbours, great benefit will thus be conferred upon the people whose claims I am advocating. In the Report of the Commissioners to which I allude, they recommend that, in addition to the grant of £3,000 now secured by Act of Parliament, an additional sum of £3,000—making in all £6,000—should be granted for the purpose of constructing piers and harbours—this sum to extend over a period of eight years, by which time the works would be executed. They say it is very important that this additional grant of £3,000 should be secured by special Act of Parliament for eight years, otherwise there will not be any trustworthy basis of operation, and the Board would be seriously impeded in the matter. The Commissioners had made certain other recommendations, amongst which were the reduction of some officers, and the abolition of others employed on the west coast, which would increase the revenue. The additional £3,000 which they recommended, and the existing £3,000 at present secured, together with the other sums to be brought in, will in all make a sum of £9,300 a year. Such a sum as this would, in my opinion, be most beneficially expended under the administration of the Fishery Board of Scotland. It is quite impossible adequately to estimate the benefit to be derived. I admit it is quite impossible for the Government to give money, but I think they might increase the amount given to the Fishery Board; and that is what I ask them to do. The grant to the Fishery Board, I am sorry to say, has been diminished, and they do not get so much now as they did in 1855. There is another reason why I think the Government might increase the grant, and that is, since the establishment of the herring brand in 1859, the Government have realized a large sum of money, and that brand is not only self-supporting, but I believe the Government have derived a large amount of profit from it. Altogether they have received something like £25,000; and I think that is an appropriate fund from which the fishermen may ask to have assistance granted for the construction of these harbours. Another reason which, perhaps, I may be allowed to urge, is the fact that so small a proportion of the revenue, considering the large amount raised from the people of Scotland, is expended in that country in comparison with the amount expended in other parts of the country. It was only in the early part of the present Session, in the course of an Irish debate, that the Chancellor of the Exchequer called attention to this fact. He said—

> "What proportion is expended in Scotland in proportion to the sum raised in the shape of taxation? I doubt whether one-fourth of the revenue derived from the country is spent within its borders."

I am not going to maintain that you are to spend all the money raised in the locality in which it is raised. Such an argument would be quite untenable; but I do think that, when we have £5,500,000 of money taken from Scotland, and only £440,000 spent there, we have some claim upon the consideration of the Government, especially when that claim is backed up by the Report of a Special Commission. It appears to me that the policy of the Government has been to get everything they can out of Scotland, and at the same time to reduce all the expenditure upon the public works. I trust that the Treasury will deal in future in a more liberal manner with these fishermen, who are a class of men who have always been ready to come forward when they are required for the navy, and at the present moment they form no inconsiderable proportion of the Royal Naval Reserve. In conclusion, I can only express a hope that I shall not appeal in vain, but that the right hon. Gentleman the Secretary to the Treasury will give the matter his careful consideration. I beg to ask the question which I have already read to the House.

SIR JAMES ELPHINSTONE said, he regarded this as a question which deserved the careful consideration of the Government. The fishermen upon the coasts of Scotland were exposed, from the nature of the tempests which occurred there, to great and unusual dangers, from which the fishermen of other parts of the coast of Great Britain were exempt. The storms which constantly arise on the east and north-east coasts of Scotland were of such a character that when the fishermen were engaged in fishing upon banks, perhaps forty miles from land, a sea would arise which threatened to swamp them before, with such boats as they had, they could reach the very imperfect harbours in which they were obliged to take refuge. He believed that Admiral Fitzroy had done a great deal for these men by the introduction of his meteorological system. Many of the prejudices which formerly surrounded this class of men had been overcome, and they now paid more attention to the barometers and to the various scientific apparatus for foretelling storms which were placed in conspicuous positions along the coast. From the coast to which his hon.

Friend (Mr. W. R. Duff) referred there were drawn upwards of 1,000 men for the Royal Naval Reserve; and he (Sir James Elphinstone) had no hesitation in saying that they were among the finest men to be found in that force. He felt bound to express in the strongest terms his opinion that the grants for harbours upon the coast of Scotland had not been commensurate with the necessities of the case, and he believed there were many points on the coast of Banffshire, Aberdeenshire, and at Wick, in the northern part of the county of Caithness, at which, if the labour of convicts were employed, and if money were raised at a low rate of interest, for the construction of harbours—the loans being repaid by a toll upon the coasters resorting to the harbours—great improvements might be effected, which would result in a considerable annual saving of human life. The loss of human life in some of the gales which occur upon this coast had frequently been very great. Within his recollection as many as 100 men had been lost in one of those storms; and the loss of 100 able-bodied men involved the beggary and destitution of many families. Under all these circumstances he begged most humbly to support the recommendations of his hon. Friend.

Sir FREDERIC SMITH thought that the hon. Member for Banff is entitled to the thanks of the House for having brought this question forward. The question of providing harbours of refuge had occupied the attention of the House for several successive years; and although a division was obtained in 1859 in favour of carrying out the recommendation of the Commissioners, yet in a subsequent year that decision was reversed. If that recommendation had been carried out, there would have been no necessity for urging the matter upon the attention of the House at the present moment; but the question being, as it were, in abeyance, and there being great difficulty in obtaining the construction of harbours of refuge on a larger scale, he thought they would do well to press on the Treasury the necessity of seeing what could be done by means of smaller works for these poor fishermen. Indeed, it is a question of humanity and public policy. The losses sustained by the fishermen were very severe. These poor people lived entirely by the produce of their fishing, and it not unfrequently happened that for three days out of the seven they were prevented from going to the fishing grounds because they had no place to run to in the event of a storm coming on. The result of this was that a great amount of human food was entirely lost. He believed that the produce from the fishing grounds might be doubled if these harbours were properly attended to; and he therefore trusted that the Secretary of the Treasury would be able to give us some hope that this subject will not be disregarded.

Mr. PEEL said, that having already addressed the House upon the Question of going into Committee of Supply, he was precluded from saying more than a few words in answer to the question of his hon. Friend. The hon. Gentleman was in error in stating that the fee on branding herrings was a fund available for carrying out the object he sought. That fund was raised for the purpose of defraying the expenses of the establishment of the Fishery Board of Scotland; and he could assure his hon. Friend that it did not make the establishment self-supporting or anything like self-supporting. It was quite true that a larger sum had been realized from that source than was anticipated when the fee was first imposed; but all the sums received were paid into the Exchequer, and expended in strict conformity with the provisions of the Act of Parliament. The only sum in Scotland available for the improvement or extension of piers and harbours was a sum of £3,000 a year which forms part of the annual grant to the Fishery Board. That sum, which had now been paid for a long series of years, had been applied with great advantage in the construction of piers and harbours for fishing boats at different points on the coast of Scotland. He had no doubt of the advantage which would arise if the works which were said to be necessary could be carried out on the east and north-east coasts of Scotland, and also in other parts of Scotland both upon the east and west coasts. He was quite aware that in 1857 the Commissioners recommended that a further grant of £3,000 a year should be allowed for a limited period; but he must confess that, taking into consideration the scale on which these fishery harbours were now being erected, he did not think that a grant of even double that sum would be adequate for the purpose. It was estimated that the harbour in which his hon. Friend (Mr. Duff) felt specially interested would cost £33,000. [Mr. R. W. Duff: £22,000.]

It would cost £22,000 if carried out partially, but if carried out to the full extent desirable, it was estimated that it would cost £33,000. Therefore, if the House were to vote double the sum recommended, and it were applied to this single harbour, it would take five or six years before there would be sufficient funds to carry out the work. He was glad that the hon. Gentleman did not claim an unconditional grant of the public money for this purpose. Since the passing of the Harbours Act in 1851, ordinary harbours could only be constructed by public money upon certain terms of repayment, and it would be hardly right or fair with regard to fishery harbours that they should be constructed with public money without repayment. He should be very glad if the thing could be done, but he must confess that at the present moment he did not see his way towards carrying out the object desired by his hon. Friend.

Mr. CAIRD said, there was a distinction to be drawn in the case of the fishing harbours of which the right hon. Gentleman was perhaps not aware—namely, that in consequence of the change which had taken place in the modes of sea fishing all over the coast of Great Britain a larger description of vessel was now used than was formerly found necessary. The truth was, however, that in most of the fishery harbours on the coast of Scotland the fishermen had very little means at their disposal for making improvements, and they were precluded from adopting that improved system of fishing which is found requisite for deep-sea fishing, because they had not the power of leaving the shallow harbours which nature had provided for them. He had no doubt that a great increase in the supply of fish, not only upon this coast alone, but upon the west coast—and, indeed, all over the kingdom—would be the result, if under proper and necessary precautions money could be advanced for the purpose of improving the fishery harbours.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.—CIVIL SERVICE ESTIMATES.

Considered in Committee.

(In the Committee.)

Navy Estimates.

(1.) £527,985, New Works, &c., Naval Establishments.

Mr. CORRY said, he was rejoiced to find that reflection had brought conviction to the Admiralty as to the necessity of extending the accommodation in our dockyards. Three years ago when he proposed an expenditure of £1,500,000 in the Channel Dockyards for works necessary to the accommodation of the modern fleet of this country his noble Friend the Secretary of the Admiralty treated his proposal almost with derision. On that occasion his noble Friend said that he (Mr. Corry) was a great advocate for brick and mortar; that his time at the Admiralty was looked on as the golden age, when he was the Palladio of that establishment; that he used to go down to the Board and propose gigantic works; that in going round the yards, if a person asked who constructed this or that great work, the answer was sure to be "Mr. Corry;" and the noble Lord concluded by asking him to sit down contented and not to alarm the House by statements such as he had made, because on a calm review there was no cause for alarm as to any evil results in time of war from a want of accommodation in the dockyards. But his moderate proposal was now very much exceeded; for, assuming that the works now proposed were carried out in the most economical way—that was to say, partly by contract, and partly by convict labour—the estimated cost was £4,600,000; and the Estimate would be increased to £6,000,000 if the works were carried out in the manner and with the expedition which he thought ought to be used. He did not taunt his noble Friend with the gigantic character of these works, which threw those that he had suggested completely into the shade—on the contrary, he freely admitted that though the Estimate of his noble Friend was much larger than his (Mr. Corry's), it did not go beyond the necessities of the case. The plans proposed for works at Portsmouth, at Chatham, at Cork, and at Malta seemed on the whole to be good, and he would give them his cordial support. But though he was satisfied on the whole with the designs, he was not equally satisfied with the mode in which it was proposed to provide the means for executing them. In proposing the Navy Estimates the noble Lord said—

> "The last paragraph of their Report is of such great importance that I must particularly refer to it, because it bears strongly upon the proposal that I am about to make. The Committee there state—'The Committee, therefore, having due regard to economy, no less than to the pressing necessities of the service, are of opinion that the

> completion of the works they recommend should be expedited by whatever means may appear most advisable to the Government and Parliament.'"

He need hardly tell his noble Friend that he concurred in that recommendation of the Committee, because he was aware that he (Mr. Corry) had drawn it up himself. The noble Lord then went on to state that—

> "If the House will agree to that principle, we can, I believe, by entering into a contract for the construction of the works at a given sum per annum, get the work done at a considerable diminution of cost and within a much shorter period of time."

But it was difficult to understand how any Bill could provide for the payment of the amount due under contracts at a given sum per annum. There was only one mode of doing this—namely, by borrowing money as was done in the case of the fortifications. An Act of Parliament would be mere waste paper so far as it attempted to bind future Parliaments, especially if there was an economical Chancellor of the Exchequer or an economical House of Commons; and the Bill proposed by his noble Friend, therefore, would give very little security for the punctual payment of fixed sums from year to year towards the expenses incurred under the contracts about to be entered into. The course which would be adopted by future Parliaments would depend to a considerable extent upon the amount asked for from year to year; but the papers laid before Parliament hardly gave a fair representation in this respect. From the letter of the Director of Works it appeared that the whole cost of the works, £4,650,000, would be distributed over fifteen years (which he thought was a great deal too long a time), and that there would be required an annual Vote of £310,000 for the new works during this period. The annual cost of maintenance was estimated at £275,000, so that according to that calculation a total Vote of £585,000 per annum would be necessary. But, in his opinion, this was not a correct view of the case, because the Admiralty did not propose to distribute the expenditure in equal sums over fifteen years. On the contrary, they proposed that the works should be pushed on with expedition during the first three or four years, in order to obtain a certain amount of accommodation as soon as possible. Thus at Chatham it was proposed to spend in the three years next ensuing £665,000, and at Portsmouth during the same period £822,000, making a total of £1,487,000, or an average per annum of £495,000 for Chatham and Portsmouth alone. The maintenance of the yards involved, as he had said, an annual cost of £275,000, so that the annual Vote necessary under these three heads would be £770,000. Besides that, other great works were to be provided for. The works at Cork were to cost £150,000, and were to occupy five years; so that this would involve an additional annual outlay of £30,000. A like sum of £150,000 was required for the dock and purchase of land at Malta, and as the works there were to occupy three years another annual sum of £50,000 must be added. Then, as his noble Friend had privately informed him, it was intended to construct a floating dock at Bermuda, and to spend there £250,000 in two years. This would add another £125,000 to the yearly Vote, which would thus amount to £975,000, or nearly a million a year, exclusive of the extensive additions to Keyham which were a part of the scheme of the Government, but for which no estimate had been made. This was more than double the average expenditure on dockyard works, which had gone on for some years, and he much doubted whether any Act of Parliament would bind a future Chancellor of the Exchequer or a future House of Commons to such an amount from year to year. At all events the present Chancellor of the Exchequer had taken good care of himself, for the sum taken in the present year for docks and basins and other new works was only £166,000; and it was questionable whether the right hon. Gentleman would approve next year of a Vote of nearly a million. When the Duke of Somerset was examined before the Dockyard Committee, he (Mr. Corry) asked him whether the Admiralty had turned their attention to the expediency of borrowing money upon terminable annuities for the completion of the great works in the dockyards as they had done for the fortifications; but the Duke gave him no reason to suppose that any such plan would be adopted. It would be impossible to find any arguments more applicable to the case of the dockyards than those which were advanced by the noble Lord at the head of the Government in favour of a loan for the completion of the fortifications. On the 23rd of July 1860, when proposing that £11,000,000 should be raised upon terminable annuities in order to complete the fortifications as soon as possible, Lord Palmerston said—

"I hold it to be absolutely necessary for the safety of the country that these recommendations should substantially be carried into effect. Now there are two modes of doing this—you may either vote annually such a portion of the annual income of the country as the country would like to spend on a matter of this kind, and by so doing defer for perhaps eighteen or twenty years the accomplishment of these defences; or you may take that course which it will be my duty to recommend, and endeavour to complete them at the earliest possible period, without, at the same time, laying upon the country a larger annual burden than would be incurred if you prosecuted those works more slowly. I mean you may by raising by terminable annuities to run for thirty years a sum that will be sufficient in the course of three or four years to complete those works, get within a short period the security you require . . . . My opinion is that if these works are necessary —and I think common sense shows you that they are necessary—if they are necessary they are necessary as soon as we can get them, they are necessary for time present, and it would be folly to postpone for eighteen or twenty years the completion of defences against dangers which I hope may not arise; but dangers which we may contemplate as possible, and which, if possible, may be possible in the course of a comparatively short space of time."—[3 *Hansard*, clx. 20.]

But the Chancellor of the Exchequer was indignant the other day when an hon. Gentleman suggested that the expense of the dockyard works should be defrayed in the same manner. He did not know on what principle the right hon. Gentleman objected, for he was Chancellor of the Exchequer when the fortification scheme was proposed, and it must be supposed that it had his entire concurrence. Why should the right hon. Gentleman object in the one case to what he had assented to in the other? In point of fact, it was more important to complete the dockyard works without delay for several reasons. In the first place the fortifications were required only to meet the probably remote contingency of war; but additional docks and basins were urgently required to meet the demands of the service even in time of peace, as the whole of the evidence taken before the Committee went to show. The every day work in the dockyards required that the contemplated extensions should be immediately carried out. It was far more important to keep an enemy out of the country than to foil him when in it, and the best mode of defeating an attempt at invasion would be to have the means of maintaining our fleet in a state of efficiency, for which the present accommodation in the dockyards was wholly inadequate. Besides, the works in the dockyards would endure for all time, while the fortifications might be rendered comparatively useless by a change in the art of war. In every respect the urgency of the case was greater than in regard to the fortifications. The dockyards were the jewels, the fortifications only the caskets to protect them; and yet the Chancellor of the Exchequer saw no impropriety in sanctioning a large immediate outlay by means of a loan on the caskets, but he would not hear of such an expedient in the case of the jewels themselves. He should have been glad if the Chancellor of the Exchequer were in his place, but it appeared that now the Estimates were not deemed sufficiently important to induce the right hon. Gentleman to attend, even when it was a question of spending five or six millions of money. He hoped the Chancellor of the Exchequer would re-consider the subject. The works, even if completed before the end of fifteen years, might yet be deferred too long. And here he wished to correct an error, or rather oversight, which occurred in a letter of the Director of Works dated January 23, which appeared in the papers laid before Parliament. It was there stated that the original Estimate for the Works at Keyham, which were commenced so recently as in 1844, was only £400,000, while they had cost upwards of £1,500,000. But the £400,000 was merely the Estimate for the south basin; and it was the practice at that time to specify the amount required in future years for the particular work only for which a Vote was taken in the Navy Estimates. In 1845 the Estimate was increased by £275,000 for two docks, making £675,000. Afterwards £300,000 was added for the north basin, and £250,000 for factory buildings and so on. The plan followed in 1844 was a bad one, and was amended upon the recommendation of the Committee of 1848, over which the Duke of Somerset presided. He wished to give that explanation in justification of a Department with which he had been connected, and especially in vindication of the late Colonel Brandreth, of the Royal Engineers, an officer of great ability, who then held the office of Director of Works, and who was incapable of making any such mistake. In conclusion, he had to express his satisfaction that at length we were about to get decent accommodation for our ships, and he only hoped that the Government would expedite the works by every means at their command.

SIR FREDERIC SMITH thought the Secretary for the Admiralty could hardly feel flattered at the interest manifested in this discussion. Though approving of the Votes asked for, he did not think they were adequate for the required purposes. He thought the annual instalments to be of much use, and ought to be much larger. If the Government did not like to ask the House of Commons for a sum sufficient to carry out the works at once, there could be no reasonable objection to the proposal to raise money in the same way as they had done for the fortification scheme. As much money as could be expended ought to be expended at once, and the works ought to be completed in five or six years instead of being spread over twenty. In the way in which the Government were proceeding, the money that was laid out was producing no results. Either the works were not required, or, if they were, they ought to be pushed forward with the greatest vigour. The Channel ports were very badly provided with dock accommodation. One of the most extraordinary things he had ever seen was the charge of £20,000 for lowering floor No. 7. That sum was paid in two instalments, whereas the operation must have been done at once. For Keyham there was a charge of £21,000, and only £30,000 more was required to complete the work. Why not take the whole of it in one year? With regard to barracks, there were certain artillery barracks that might be completed with speed, and for which only £73,000 was necessary; but all the money now asked for was £21,000. If the Government would only ask for large sums for proper objects the money would be granted at once, and he thought that would be a far better course than taking small sums year after year, inasmuch as it would be far more economical in the end to use immediate despatch.

Mr. LAIRD quite agreed with the right hon. Member for Tyrone (Mr. Corry) as to the importance of completing works rapidly, but he found on looking into the Estimates that the completion of some of them would require fifteen or twenty years. The Report of the Inspector of Works pointed out the disadvantage of the system which had hitherto been pursued, and showed that out of an expenditure of £550,000 per annum about £250,000 per annum was virtually thrown away, because it had been expended in alterations which had not proved efficient. He therefore thought the Government had done perfectly right in bringing in a comprehensive scheme with respect to Chatham, Portsmouth, and Plymouth. The prompt execution of these works would save a large amount in the annual cost of the navy, for the present dockyard accommodation was quite inadequate to do the work in an economical manner. In private establishments vessels were completed within the yards; but in the national yards vessels had to be fitted partly in the yard, partly in the stream, and partly in the harbour. The Report of the Dockyard Committee of last year recommended the sale of the dockyards at Deptford, Woolwich, and Pembroke, because they did not afford accommodation commensurate with the annual outlay, which was £40,000 per annum. None of them could accommodate ships of the largest class. He trusted the Government intended to make some proposition with respect to the disposal of these yards. They seemed to be under the impression that Pembroke was valuable as a building yard; but he entertained an entirely different opinion, and was fortified in that opinion by the large majority of the Committee which adopted the recommendation. A dockyard which was mainly available for building purposes was not so economical as one which was also available for the general purposes of repairs. The Government were going to expend large sums on alterations and improvements at Chatham, Portsmouth, and Plymouth; and he believed they could, by dealing with private dockowners and shipbuilders, obtain better accommodation for the repair of ships than in the Royal Dockyards; and by that means the £40,000 a year spent on Woolwich, Deptford, and Pembroke, would be well saved. Propositions had been made with regard to private docks on foreign stations, that if the owners would deepen them so as to receive ships of war the Government would pay the cost on certain conditions. In this country there were plenty of builders on the Thames, the Mersey, and the Tyne, who could provide suitable accommodation, without any charge to the public, for repairing Her Majesty's ships in case of war. If such a plan were adopted there would be a great saving, not only in respect of outlay for works, and machinery, but also as regarded the expense of the staffs. He was glad to find that the Government proposed to construct a wet basin and two large docks at Cork, and thought the people of that district greatly indebted to the hon. Member for Dungarvan (Mr. Maguire) for his long-continued advocacy of that measure. The only objection he entertained to the course proposed by the Government was that they did not ask for money to proceed with sufficient rapidity. The result would be that the works would be stopped, the contractors would have to be compensated, and the country put to a larger expenditure than it would be if they adopted the same plan which they had done with regard to the fortifications, and borrowed money to enable them to complete the works with rapidity.

Mr. AUGUSTUS SMITH remarked, that the attendance of Members on these occasions seemed to be in an inverse ratio to the largeness of the Vote to be proposed. He had the same fault to find with this Estimate as with many others—that a variety of items involving a large expenditure were all lumped together; and then followed a lot of minute sums, as if to show how careful the Department was about trifles. He held that there was economy in executing these great works as speedily as possible when once they had been decided upon; and now that we were in a state of transition as regarded our ships and other defences, the best means of providing against increased Estimates in future was to construct our docks in as scientific a manner as possible, so as to meet any changes that were likely to arise.

Sir JAMES ELPHINSTONE said, he was glad to find his hon. Friend (Sir Frederic Smith) taking an active part in the discussion of the Estimates, for too many of the hon. Members dealt in generalities about keeping down the public expenditure, and afterwards absented themselves from the House when the Estimates were under consideration. So far as the port which he represented was concerned, the officers there were thoroughly satisfied with the plans which had been brought before the House. With regard, however, to the mode in which the works were to be carried out, and the manner in which they were to be paid for, he differed from the noble Lord the Secretary of the Admiralty. About three years ago the noble Viscount at the head of the Government brought forward a proposition to expend a large sum of money upon fortifications. Well, those fortifications were intended in a great measure to protect the dockyards. In 1863 the noble Viscount introduced the Bill which provided that the money for those fortifications should be raised by terminable annuities. Now, when he (Sir James Elphinstone) had the courage to propose that mode for raising money to pay the expenses of the new dockyards, the Chancellor of the Exchequer thought it his duty to read him a lecture upon the heresy of his doctrines on political economy. In making that proposal, which it was his intention to renew on a future occasion, he was only following the example set him by the Government in respect of the fortifications; and certainly he was at a loss to know how, in 1865, the Government could call that black which in 1863 they had declared to be white. He now gave notice of a Resolution he intended to move on the Dockyards Bill, that the whole of those works should be paid for by money raised upon terminable annuities, in the same way as the expenses of the fortifications were met. It was of the greatest importance that those works should be accelerated as much as possible, as the loss suffered by the country by the protraction of them was greater than any one could suppose. For example, it was of the highest importance to Chatham that the ships lying in its neighbourhood should be laid up in docks and basins. The Admiralty, however, were pottering about making shoes, pumps, and so on, instead of expending the money upon the docks, which were so essential to the interests of the country. He was afraid that those docks and basins would not be completed until half the plant of the country would be sacrificed. Having made up our minds to lay out £1,500,000 upon docks there was no difficulty in the way of the immediate completion of them. There were many great preliminary works to be undertaken. For example, the harbour of Portsmouth was encumbered by banks which could be removed and kept under control by a single dredge. At present the want of accommodation for our large ships in that harbour was notorious, and these vessels were often detained at Spithead, where the difficulty and expense of communication were so great, or sent round to Portland in inclement weather, because the Admiralty would not go to the expense of £20,000 or £30,000 for dredging the banks to which he referred. An expenditure of a comparatively small amount would double the extent of anchorage in Portsmouth harbour. Only about £38,000 was required for the completion of the Keyham docks, which were of equal importance with Chatham and Portsmouth, and yet those works were unaccountably delayed. He was also glad to notice the Vote for Cork, because a station to the westward of all the English ports would be of very great importance in the event of a naval war. It was satisfactory to find that the Government had determined to do something at Bermuda, but he regretted that they had not also determined to improve the harbour of Halifax, which was even more important than Bermuda, as had been proved in the last war with America.

Mr. MAGUIRE congratulated the Government on having at length realized the promise made to Ireland to expend some of the public money upon the construction of harbours and docks there. He believed that in making the docks at Cork the Government would be really carrying out a work of great national importance and one absolutely necessary for the public service. Six years was the period proposed for the building of a dock at Cork. When the work was absolutely necessary, why should it not be completed in three years instead of six? A ship could enter Cork harbour at any state of the tide—a fact that could not be stated in regard to many of the other docks of the United Kingdom. He knew that the public service had been often sacrificed for the want of proper dock accommodation at Cork. On one occasion a ship full of troops, having met with an accident to her machinery, was obliged to put into Cork harbour. The vessel, however, after landing the troops, was obliged to go to Portsmouth for repairs, by which a delay of several weeks was incurred, and that at a time when the troops were wanted in a great emergency at another place. There was no want of private and individual energy in Cork. The Messrs. Brown had docks and yards of great dimensions. What was wanted was a Government yard. It was of the utmost importance that such dock be obtained, and that at the earliest possible period. Only £150,000 was required for that purpose—a very small sum, when it was considered how much speed, and consequent saving of coals, would arise from the removal of vegetable accretions from the ships' bottoms. There was no reason why all that was wanted should not be constructed in three years, as well as in six. He thanked the Government for having turned over a new leaf, and given Ireland a share in the public expenditure.

Mr. C. P. BERKELEY said, before he could concur in the expression of satisfaction at what had been done at Portsmouth, he would like to know whether the plan of Sir William Martin, marked H, was laid before the Admiralty before they came to their decision? His own opinion was that that plan was the best, as it gave a very large wharfage accommodation in the smallest space.

Mr. CHILDERS said, it was satisfactory to the Government, and to the professional officers who had given their utmost attention to the subject now before the House, to find that their exertions had met with the general approval of the House. It was natural that in the early part of the Session hon. Gentlemen should criticize the intentions of Government with reference to the dockyards, as at that time no papers explanatory of the course which Government intended to adopt had been laid upon the table. Most of these hon. Members had subsequently expressed their satisfaction; but notwithstanding that every possible information upon the subject had since been given, a few hon. Members on both sides of the House had that evening raised objections of the most opposite character to the propositions of Government, and therefore he proposed to explain the plan which it was intended to carry into execution. In the first place, remarks had been made upon the smallness of the Vote taken for this year for the works at Portsmouth, Chatham, and other places. Now, the papers relating to the proposed extension of basin and dock accommodation in the Royal dockyards laid upon the table on the 27th of April last show distinctly the course which Government propose to pursue. It appeared from the memorandum of the Director of Works that assuming the time required for the execution of the proposed works to be fifteen years under the combined system of civil and convict labour, the annual liability would be about £310,000; but that assuming Parliament should have so approved the scheme in its entirety as to justify the Government in incurring a larger charge in the event of there being a necessity for expediting the execution of the works £500,000 per annum might be expended. In answer to that memorandum the Secretary of the Admiralty sent the following reply:—

"My Lords having had under their consideration your memorandum of the 28th ultimo, No. 83, in reference to the Report of the Select Committee on Dockyards, desire me to inform you that they approve generally of your submissions; but in bringing forward detailed proposals for the great extensions contemplated, you should, without increasing the aggregate cost, so arrange that the contracts for the more essential portions of the works urgently required for the public service, should be executed as speedily as may be consistent with efficient construction; while the employment of convict labour should be spread over the longer period contemplated, and the less important parts of the works should be executed after the completion of the first contracts."

The proposal to execute all the important portions of the works as rapidly as was consistent with efficient construction, and to leave the minor portions to be finished at leisure, was a very sound one, and that proposition Government intended to adopt. With regard to the small amount of the Vote taken for the works this year, had the hon. Member for Finsbury (Sir Morton Peto) been in his place he should have asked him whether it was usual for railway contractors and others engaged in the execution of large works to expend a large sum during the first year of their operations. Any Gentleman conversant with the subject would be aware that there was no great expenditure during the first year. The expenditure upon the proposed works would, therefore, be but small during the present financial year, but it would increase considerably during the next and following years. The works intended to be executed at Chatham were, first, a large fitting-out basin of thirty-three acres; secondly, a factory basin of twenty acres; and thirdly, a repairing basin of twenty one acres in extent. The factory and the repairing basins were to be completed withing four years by contract, while various subsidiary works were to be carried on simultaneously by convict labour; and thus by the autumn of 1869 those large works would be ready for the use of the navy. It was proposed to take during the present year £70,000, which was the largest amount that could be expended, as, owing to time which would be required to remove the convicts employed there at present, with the plant, the contractor would not be able to commence operations until the beginning of the winter. The sum which would be required next year was £190,000; for the year following, £205,000; and for the fourth year, £255,000. In the fifth year £136,000 would be required to complete this part of the work, and eliminating the convict and dredging expenditure, in five financial or four actual years, no less a sum than £610,000 would have been expended by way of contract in the execution of these works. [Mr. CORRY: If you get the money.] He would touch upon that point presently—at present he was only replying to the objection that they were not spending money fast enough. With regard to Portsmouth, so far from Government only intending to ask for a miserable £20,000 for those works, they intended to expend the sum of £842,000 upon them within the next three years. The chief charm of the plan for these works was, that the works would be completed in sections, so that each section as completed would be available for the purposes of the navy without there being any necessity for the whole of the works to be finished before they could be of service. In reply to the inquiry as to Sir William Martin's plan marked H, he begged to state that the plan had been duly submitted to the proper authorities, but they had unanimously selected the one which was before the House marked E, and which he was happy to say had met with general approval. They would spend next year, in round numbers, at Chatham £200,000; at Portsmouth £260,000; in the year following at Chatham, £200,000, and at Portsmouth, £312,000; and in the year following, that at Chatham £250,000, and at Portsmouth, £250,000. He ventured to say that that was as large an expenditure as the Government would be justified, by the necessities of the navy, in proposing for hydraulic works of this magnitude. His right hon. Friend the Member for Tyrone (Mr. Corry) made two objections. The first was that the Government ought to raise this money by loan, and expend it in larger sums. Now, he put it to the House whether it would be worth while for so limited expenditure on works of this description, the effect of which would be greatly to reduce the expenditure upon constant changes, repairs, and patchwork, to make legislative provision for raising the sum required by means of a loan. If hon. Members would look to the Estimates, they would see that while the Vote for the extension of the dockyards was largely increased this year the expenditure of alterations, revisions, and patchwork was reduced. [Mr. CORRY: The Marine Barracks?] Quite irrespective of the Marine Barracks there was such a reduction that the Vote stood at very little more than the amount of last year. The same effect would be produced in future years; so that as these extensions went on *pari passu* the expenditure for patchwork would be reduced. It would not, therefore, be worth while, for the sake of an extra expenditure of £400,000 or £500,000 upon Vote 11, to resort to a loan which, however well adapted that mode of raising money might be to particular cases, generally ended in financial extravagance. He therefore, hoped that the House, while authorizing the Government to spend this additional £200,000, £300,000 or £400,000 for these great works would resist the temptation to extravagance which was held out to them by the suggestion of a loan. His answers to some detailed objections which had been raised by hon. Members must be similar to that which he had given upon the general question. The hon. Member for Dungarvan (Mr. Maguire) complained of the smallness of the amount which was to be taken for works at Cork, and of the time—six years—which was to be occupied in their completion. It must, however, be borne in mind that in addition to the £150,000 included in Vote 11 a considerable sum would be spent annually upon convict labour which was to be employed upon the works. He therefore did not think that the amount was so niggardly as the hon. Gentleman seemed to suppose; and he believed that if at the end of six years there was created at Cork so efficient an establishment as was contemplated by the Bill the people of Ireland would have no reason to complain. As to the caisson at Sheerness, the order could not be executed until late in the present financial year, and £500 was as much as would be required in that period. The hon. and gallant Member for Chatham (Sir Frederic Smith) objected to spreading the lowering of the dock at Portsmouth over two years. The fact was that since the Estimates were prepared arrangements had been made which would enable the work to be completed within the present year, and would lead to a considerable saving of expense. As to the barracks at Eastney, the expenditure which was proposed would meet all the requirements of the marines without overburdening the Estimates with large Votes which were not needed. The hon. Member for Truro (Mr. Augustus Smith) had complained that in these Estimates all sorts of things were mixed up in the same Votes, and had instanced the placing of the charge for gas, which was an item of expenditure, under the head of "permanent works," which belonged to capital. If his hon. Friend referred to a paper which had been laid before the House, he would see that the Admiralty had requested the Committee of Public Accounts to look into this matter and had suggested that all items of this kind should be transferred to the ordinary Votes for the establishment. He believed that he had now replied to most of the objections which had been taken, and he trusted that the House would be satisfied to accept these Votes, taken in connection with the Bill for the contracts upon which they should go into Committee tonight, and which would pledge Parliament to the carrying out of these works, as indicating a policy not of reckless extravagance in the way of the extension of the dockyards, but of fully considered and matured expenditure required by the wants of the navy, spread over a reasonable number of years, and meeting the requirements of different places, both at home and abroad, where dockyard accommodation was needed. He was sorry that after what his hon. Friend (Sir James Elphinstone) had said about Bermuda, he was not satisfied with the proposal of the Government. It was difficult to satisfy every one, and that was a question about which something would have to be said hereafter. The plans both for Bermuda and Keyham would, he anticipated, be completed during the present year, and he was sure that they would be received with satisfaction by the House.

Mr. BENTINCK admitted that there was great difficulty in satisfying everybody; but here the question was about satisfying the country, and he doubted whether even the able statement of his hon. Friend (Mr. Childers) would succeed in doing that. The total Estimate for Chatham was £1,250,000, and the gross sum expended in three years was £130,000, or about £43,000 per annum. At Portsmouth the original Estimate was £1,500,000, the amount voted £7,500, and the sum to be taken this year £20,000, leaving a balance of more than £1,400,000. At Haulbowline the Estimate was £150,000, and the amount expended £5,000, leaving a balance of £145,000. Now, one of two things—either these docks and dockyards were indispensably necessary for the good of the country, or the whole proposal of the Government was a piece of wasteful extravagance. If they were essential to the well-being and safety of the country—and he made no question whatever about that—then, as a matter of common sense and economy, they ought to be completed in the least possible time. Do not let them peddle with £7,000 or £20,000 here or there to meet contingencies which, if they were ever to occur, were as likely to occur within the next six months as within the next ten years. He believed that if the noble Lord the Secretary of the Admiralty and the hon. Gentleman who had just addressed the House could follow their own inclinations in this matter, the work would be completed more speedily; but the real obstacle to the efficiency of the public service in this and many other respects was the conduct pursued by one of the most prominent Members of the Treasury Bench. He believed that the real bar to the construction of these docks in the shortest possible time was the Chancellor of the Exchequer, and not the excuse that had been put forward with reference to efficiency of construction. The excuse from more rapid construction did not arise from efficiency of construction or the impossibility of construction, but from the want of money. And when the hon. Gentleman talked about the course now pursued being sanctioned "by men of business," he (Mr. Bentinck) understood these "men of business" to be embodied in the right hon. individual to whom he had alluded, who would not sanction any larger annual expenditure for the purpose of cutting controversy and meeting the requirements of his Budgets. They ought to understand whether the works could be carried on more rapidly than the Government proposed; but they were cutting their coat according to their cloth. The hon. Gentleman, referring to a remark of the right hon. Gentleman the Member for Tyrone (Mr. Corry), that it would take a million a year to carry on the works in an efficient manner, said the Government were asking as much money as it was possible to ask. But where was the justification on which the hon. Member relied? Was it to be found in engineering difficulties which would render it impossible to carry out the works with greater rapidity, or was it from a disinclination on the part of the Government to advance the sum necessary for the rapid completion of the works? If the latter was the case the principle was a bad one, as they were neglecting to carry out works which were essential to the safety of the country for the sake of economy, and thus were penny wise and pound foolish.

Mr. LAIRD, said, he should probably be able to answer the question which the hon. Gentleman had purposed asking the hon. Member for Finsbury (Sir Morton Peto), if he had been present, as he himself had had occasion to contract for the construction of extensive graving-docks and other works. He had always made it a part of the contract that the works should be completed at the earliest possible moment, because he found that until they were completed he could get no return from them. He believed, too, that such a course would be the proper one for the Government to pursue. The dockyards were essential to the interests of the country, and the money which was required should be raised upon the same principle as that adopted in the case of the fortifications, which could not be compared with our dockyards in point of utility. He felt convinced that the hon. Member for Finsbury, if he were present, would bear him out in saying that it was much better that the works at Chatham, Portsmouth, and Keyham, should be completed in the most rapid manner possible, instead of being subject to the dilatory course proposed by the Government. Looking at the works that were to be carried out, he thought a million a year could be spent with advantage; and, moreover, if they would set about the completion of the works with spirit, they would save the expense of the modifications which succeeding Administrations were sure to suggest. Before sitting down he wished to know from the Government when they intended carrying out their proposed sale of dockyards. The question was an important one, because it involved a large annual saving of £40,000 to the country, and he hoped, therefore, that he should receive a satisfactory answer.

Mr. H. ROBERTSON urged the necessity of hastening on the works as speedily as possible. The Government had undertaken the manufacture and repairs of ships; but until these works were completed they could not be in a position to carry out the repairs. Thus every year of delay brought a loss to the country, and he, therefore, thoroughly concurred in the remarks of the hon. Member for Birkenhead. The plans of the works at Portsmouth were well adapted to the wants of the case; but he would have wished that the Government had taken more advantage of the talent of the country in procuring the plans. Without entering into details he might point out that the plans showed only seventy feet of quay space, and if there were to be laid down three lines of rails they would have little left for other purposes. The estimate would not be sufficient for all the works set out in the plans.

Mr. Alderman SALOMONS expressed a wish to know what determination had been arrived at by the Government in reference to the dockyards at Woolwich and Deptford?

Lord CLARENCE PAGET, in replying to the observations which had been made in the course of the discussion, said, an idea appeared to prevail among hon. Members, especially on the other side of the House, that the Admiralty would have been glad to have proposed larger estimates had not objections to their doing so been raised by the Chancellor of the Exchequer. The truth, however, was that the Chancellor of the Exchequer had raised no difficulty with regard to the proposed expenditure which had been laid before him, and that the Admiralty Estimates had been submitted to the House in their integrity. Some hon. Members, he might add, seemed to think that the proposed works ought to be carried out at once, and without any reference to cost; and his hon. Friend the Member for Birkenhead (Mr. Laird) talked of entering into a contract for the purpose, forgetting that the Admiralty had in the first instance to prosecute the work of reclamation of ground from under the sea, which it was necessary to shut out before the masonry could be proceeded with. That tidal work it was, of course, impossible to prosecute continuously, whatever the amount of money voted might be. A large sum, it would be seen, was taken for Portsmouth, while there was a considerable increase for Chatham over the Vote of last year, because the works had arrived at a stage when they could be carried on at all tides. He thought he might reasonably express his satisfaction that Ireland was a participator in the advantages of the proposed schemes. When the preliminary works at Cork were completed by convict labour there was nothing to prevent Government from entering into contracts and proceeding with vigour. In reply to his hon. Friend the Member for Greenwich (Mr. Alderman Salomons), he might observe that the Government had come to the conclusion that it was not desirable that Pembroke dockyard should be shut up; while their intention with respect to Woolwich, and he might add Sheerness, was that when ample provision was made for building and repairing ships by means of the contemplated extension of the larger dockyards, those two yards should be closed. As to Deptford, the Government were of opinion that although it would be well to give it up as a building yard, it still was desirable to maintain it as a station for landing and shipping stores, and transacting the enormous victualling business of the country. He must not sit down without apologizing to his right hon. Friend opposite (Mr. Corry) for any remarks which he might have made some years ago, with reference to his great ability in constructing dockyards, and which might have given him offence. His right hon. Friend might, he thought, take great credit to himself rather than otherwise in connection with the matter, and might fairly regard himself as the Palladio of our dockyards.

Mr. Alderman SALOMONS thought that considering the large portion of the river at Woolwich occupied by the yard, it would be almost a scandal to have it shut up in the way Deptford Dockyard had been. He should therefore be very much obliged to his noble Friend if he would state what was meant by being "shut up."

Mr. AUGUSTUS SMITH asked if these yards were shut up whether claims to the ground would not be put in by the Woods and Forests—the property belonging to the Crown?

Lord CLARENCE PAGET said, they had not yet gone the length of considering to whom the ground would belong when the Government gave up the yards.

Mr. Alderman SALOMONS said, it was very natural for his constituents to wish to know what was meant by being "shut up." Did the phrase mean disposed of for other purposes, or kept unappropriated?

Mr. COX recommended that the yard at Woolwich should be handed over to the Woods and Forests, who would be able to dispose of it for a large price, part of which might be applied to the purpose of preserving open spaces for the public.

Sir JAMES ELPHINSTONE said, he wanted to know whether the Admiralty was in communication with the War Office, in order to have the ground required at Portsmouth Dockyard squared off, there being at present only 600 feet available from the head of the docks, while there was no room whatever for naval barracks. If the means of military defence had been condemned by the War Office, a great amount of land would be at the disposal of the Government, and if the obsolete fortifications were done away with the Government could recoup themselves for the expense of laying out some portion of that land in such places as it was not required for the public service. He had been a Member of the Committee which recommended that the small dockyards should be done away with; but that was under the impression that the Government could not otherwise be induced to supply the funds necessary for the great works which had been undertaken; but now that the Government had given the money he must say, as, indeed, he stated in Committee, that it would be a great misfortune to abolish those yards. Pembroke was a most useful yard for the construction of ships —it was peculiarly adapted for that purpose, and had the advantage of not being exposed to the fluctuation of the labour market. They could not possibly do away with Deptford, for the victualling of the navy was there carried on, and if the Admiralty killed and cured their own meat the provisions in the navy would be most materially improved. Woolwich was necessary for the repair of the smaller class of vessels, and he regretted few things more than having sanctioned the recommendations of the Committee.

MR. MURPHY saw no reason why the works at Cork should not be completed within the space of three years.

MR. BENTINCK thought if the works undertaken were necessary, the most economic and advisable mode of proceeding would be to complete them as soon as possible. He wanted an explicit answer to this short and simple question—if the Admiralty were not hampered by any financial considerations—if they were free to expend what money they thought necessary on these works would they not take a larger sum than they asked in these Estimates? The noble Lord (Lord Clarence Paget) said the Chancellor of the Exchequer had made no difficulty. Surely the noble Lord had addressed the right hon. Gentleman in peculiarly favourable circumstances, for he believed this was the first time when money was to be granted that the Chancellor of the Exchequer had not made any difficulty. His question was this, was it the opinion of the Government that it was not expedient to expend a larger sum for the completion of these works than they now proposed to do, assuming that they had the money at their command?

LORD CLARENCE PAGET said, he did not exactly make out what his hon. Friend meant. The Government had taken into their consideration the proposals of the Committee of last year. The Committee referred to certain works which were immediately required, and the Government had taken a sufficient sum to commence their execution. They had not thought it their duty to propose to Parliament a larger sum than was named in the Estimates. Of course, if they had an unlimited sum at their disposal, the Admiralty might have undertaken larger works; but they had asked for money enough to proceed with these works in a satisfactory manner.

MR. LAIRD thought the hon. Member for Portsmouth (Sir James Elphinstone) was rather hard upon the Government. As a Member of the Committee that hon. Member had joined in the recommendation that certain dockyards should be sold, the sale of which would go towards providing the means of executing additional works. But, because the Government were about to engage in those additional works, the hon. Member now turned round and said they should not sell those dockyards.

MR. H. ROBERTSON called attention to the proposed expenditure on the new dock at Malta. There was "an additional Estimate for premium to contractor for earlier completion of works" at the Marsa; but in what time would that secure their completion? Much would depend on their getting possession of the French Creek, all their operations with regard to which appeared to be hampered by their engagements with the authorities at Malta. For the construction of the dock at the French Creek only £8,000 was asked this year, although the total Estimate was stated in the Votes at £120,000. The plan of Captain Clarke, which had been adopted, was far inferior to that of Mr. M'Clean, and it would cost more money and take more time to execute, owing to the rock which had to be excavated. Mr. M'Clean's plan would give them two docks and a large spacious open quay at a cost of £100,000, or double the accommodation to be obtained for a much greater outlay under Captain Clarke's plan. The Government were attempting to gain time and save money when, in fact, the result would be just the opposite. The item of £8,000 ought to be deferred until they had a plan of how the French Creek should be treated as a whole instead of a part.

MR. CHILDERS hoped the Committee would be satisfied with the decision at which the Government had arrived on the matter of the French Creek and the Marsa after the fullest consideration. The plan finally determined upon had been concurred in by all the professional opinion, naval and engineering, which could be got at Malta; and the result arrived at was such a solution of a difficult question as was highly creditable to those who proposed it.

Mr. LAIRD thought that after the ample discussion which the subject of the Malta Dock had undergone in that House, it was not desirable that the battle should be fought over again; and he trusted the Committee would not interfere with the course now proposed to be taken by the Government in that matter.

Vote *agreed to.*

CIVIL SERVICE ESTIMATES.

Class II. Salaries and Expenses of Public Departments.

(2.) £24,148, to complete the sum for Office of Works and Public Buildings.

Mr. BLACKBURN complained that he and other hon. Members had been taken by surprise. He was not aware they were going into another class of Estimates at that time of night.

Sir GEORGE GREY said, notice was distinctly given that the Civil Service Estimates would be taken.

Mr. AUGUSTUS SMITH thought the proceeding was somewhat unfair. The First Commissioner of Works was absent when these Estimates were last before the House.

The CHANCELLOR of the EXCHEQUER said, the real question was, whether the House was disposed to go on with business?

Mr. COWPER said, he owed an apology to the Committee for not being present on the former occasion; but he could not understand why his presence now should be a reason for not going on with the Vote.

Mr. BLACKBURN asked for some explanation of the Vote, the aggregate amount of which for the mere inspection of public buildings, parks, &c., seemed to be excessive. There were no less than forty clerks in the Department, costing £11,500 a year.

Mr. AUGUSTUS SMITH asked, whether Mr. Pennethorne, who received £1,500 yearly as the salaried architect and surveyor of the Board, received a further sum of £800 in another capacity. He also wished to know whether it was the same gentleman who had been engaged in the preparation of plans for the transference to South Kensington of those collections which the Government for ten years had been vainly trying to induce the House to send there?

Mr. COWPER said, that Mr. Pennethorne received a salary of £1,500 a year for his services as Surveyor, and as adviser of the Office on architectural questions. The arrangement under which the services of Mr. Pennethorne were secured to the public was economical; the professional fees for the work performed by that gentleman would have amounted in some years to a larger sum than his salary. The extensive purchases of land on the site of the new Foreign Office and of the land between Bridge Street and New Palace Yard, had been conducted by that gentleman, upon whom had also devolved a great deal of business connected with Battersea Park and other metropolitan improvements. It was necessary that there should be some professional man permanently connected with the department to whom application could be made for advice, and Mr. Pennethorne was a very able man, of great experience. The hon. Member for Stirlingshire (Mr. Blackburn) had spoken of the largeness of the total payments; but in reality the office was undermanned, and the persons employed had more business devolved upon them than they ought to have if they were more numerous. What was required of the surveyor of works, was not too highly paid by the £1,000 a year given to him as salary.

Mr. CAVENDISH BENTINCK asked, whether Mr. Pennethorne was paid extra as architect for the Record Office. [Mr. Cowper: Yes.] He then wished to know whether, if the Government nominated Mr. Pennethorne as architect for the new Law Courts, he would have extra pay for furnishing plans for them.

Mr. COWPER said, that the agreement with Mr. Pennethorne was that he should give his services to the Board as acting surveyor and consulting architect; but when he was employed to furnish designs, or act as an architect in erecting new buildings, then he would receive his 5 per cent like other architects. In former days the Office of Works had three architects, who received a percentage—3 per cent, he believed—for their labours, and the Office was bound to employ those architects in every work which was erected. It was, however, thought that it would be an immense advantage that the Office should not be restricted to any particular architect, but should have the selection of the best talent. Mr. Pennethorne had no absolute claim to be employed on any new work; but if the Office should prefer him to any other architect, he then took his ordinary position as an architect, and received his 5 per cent.

MR. COX said, that it appeared that Mr. Pennethorne had his £1,500 a year when he had nothing to do, and when he had something to do he then took his 5 per cent.

MR. COWPER observed that Mr. Pennethorne received £1,500 for his services as surveyor in valuing and purchasing property required for public and Government purposes, and the other payments were for services as architect in designing and superintending new buildings.

MR. DOULTON inquired whether Mr. Pennethorne had anything to do with the Foreign Office.

MR. COWPER replied that the building in Downing Street was being erected by Mr. Scott. When important works were to be executed by Votes of that House, it was thought undesirable that Mr. Pennethorne or any other gentleman should be necessarily employed. It was deemed better to appeal to the profession at large, and, after competition, to select the best man.

MR. AUGUSTUS SMITH thought that what Mr. Pennethorne did for his £1,500 ayear had not been satisfactorily explained. The right hon. Gentleman said that he acted as surveyor; but he perceived by the Estimates that there was a surveyor of works at £1,000 a year, and also an assistant-surveyor at £800 a year. The legal charges connected with the Board of Works amounted to no less than £4,000 a year.

MR. COWPER explained that Mr. Pennethorne was the surveyor who surveyed and negotiated the purchase of property that might be required, and Mr. Hunt was consulting surveyor in the office, giving his advice on matters referred to him.

MR. COX asked what the man did who received £1,000 a year.

MR. COWPER said, that the political head of the Department required a professional man like Mr. Hunt to give him his advice on matters coming within his special knowledge and experience.

MR. BLACKBURN said, he had no objection to the Board giving a good surveyor £1,000 a year, but why was it necessary to spend £5,000 a year in assistants? The Board had forty-three clerks, which seemed to argue an incredible quantity of writing.

MR. LYGON asked, whether some arrangement could not be come to by which the legal expenses of the two Departments of Works and Woods should not be swollen by their Parliamentary contests. Hon. Members would remember how the two Departments contended with each other about the Thames Embankment. It was for the responsible Advisers of the Crown to settle the squabbles of these two Departments.

THE CHANCELLOR OF THE EXCHEQUER said, he was not aware of any opposition between the Offices of Woods and Works that entailed expense. There was a question in regard to the Thames Embankment between the Woods and Forests on the one hand and the tenants of the Crown on the other, and the latter thought it worth their while to fall back upon an opinion given by the Commissioner of Crown Estates. It was, however, a mistake to suppose that there was any conflict in law.

MR. DOULTON inquired the cause of the delay in laying before the Chancellor of the Exchequer the materials necessary for him to form an opinion in respect to the Estimate required for the new buildings at Kensington designed by Captain Fowke.

MR. COWPER said, that as the building was intended for the Natural History collections of the British Museum, it was thought right to give the officers of the Museum an opportunity of considering the plans. Accordingly, Captain Fowke's plans were sent to the Trustees at the end of last year. They were anxious to give them full consideration, and they had only lately expressed an opinion, which was not however final, as they had referred the plans to a sub-Committee. When the Trustees had made up their minds the Government would resume its action.

MR. BLACKBURN said, that the Commissioner of Woods took one view about the proposed road between Piccadilly and Park Lane, and the Commissioner of Works another.

MR. COWPER said, that the Office of Works was concerned in the scheme, because a portion of the Park was proposed to be taken. It was true that there was some difference between the Commissioner of Woods and himself as to the propriety of making the street; but no expense was caused thereby to either Department. The best and most costly plan would be the widening of Park Lane, but the work must be undertaken by the Metropolitan Board of Works, and he doubted whether the

Board would incur the expense of the best plan.

Sir WILLIAM JOLLIFFE said, that having served on the Thames Embankment Committee, he could assure the Chancellor of the Exchequer that a fierce war was waged between the two Departments. The Commissioner of Woods thought that the Crown property was damaged by the proceedings of the Commissioner of Works. What additional expense was caused by this fierce contest he did not know, but it occupied the Committee for a very considerable period, and he could not but think that disputes of this kind ought to be avoided. The matter had been argued by counsel, and considerable expense and loss of time had been incurred. He quite agreed that there should be a thoroughly good legal authority in the office of the Commissioner of Works to consult, and also that there should be a thoroughly competent architect. But for new works why should he not have recourse to the architects and surveyors who were to be found in such abundance in the metropolis? He was confident that if that plan were adopted a saving of expense would be effected in the Department.

The CHANCELLOR of the EXCHEQUER said, it was quite as true that the speech just delivered by the hon. Baronet had cost the public a certain sum of money. Every hour of the sitting of that House involved expense in the shape of the labour of officers, wear and tear of furniture, and light; and in that sense only was there any difference in the expense which arose between the Office of Works and the Office of Woods. Then the hon. Baronet laid down the proposition that if the Commissioner of Woods and Works had been the same person, no difference would have arisen. That was undoubtedly true. Twenty years ago that was the case; but Parliament was not satisfied with the state of things, and an Act was passed, the object of which was to give an independent voice to those officers who were placed in the immediate control of the Crown Estates. Occasionally, the Commissioner of Works, viewing a question from one point, formed a different estimate from that of the Commissioner of Woods, who looked at it from another point of view, but the general result had been beneficial. Parliament had a fuller and more perfect bearing of what was to be said upon a question in reference to the several interests involved, and there was no additional expense to the State.

Mr. CAVENDISH BENTINCK asked whether it was the intention of the Government to erect upon the piece of ground at Brompton the building designed by Captain Fowke for the reception of the Natural History collections of the British Museum.

Mr. COWPER said, it was the intention of the Government to make a proposal, but he thought it better not to go now into the question what that proposal might be. He could assure the hon. Gentleman that no step had been taken which would in the slightest degree prevent full and ample consideration of the subject, and nothing would be brought before the House without ample notice.

Mr. AUGUSTUS SMITH protested against the Chancellor of the Exchequer saying that Parliament in its wisdom had thought proper to do so and so, when the fact was that they had been beguiled into doing so by the Government. Formerly the Offices of Woods and Forests and of Works were one and the same, and represented the interests both of the Crown and the public. But now the Crown lands were no longer considered to be held for the benefit of the public. He should take an opportunity of showing that additional expense had been thrown upon the public by the separation of the Departments.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported on *Monday* next; Committee to sit again on *Monday* next.

DOCKYARD EXTENSIONS BILL.

[BILL 145.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Sir JAMES ELPHINSTONE said, that in 1863 an opinion had been expressed by the noble Lord at the head of the Government, when introducing the fortification scheme, which would be perfectly applicable in support of the Motion which he was about to make. That opinion had been already read in the House that night, and he would therefore content himself at that late hour with moving, that in the opinion of this House the expense of the contracts for Dockyard Extensions to be authorized by this Bill would best be defrayed by Terminable Annuities, as in the case of the Fortifications, under the Act 26 & 27 *Vict.* c. 80.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the expense of the Contracts for Dockyard Extensions to be authorized by this Bill would best be defrayed by Terminable Annuities, as in the case of the Fortifications under the Act 26 and 27 Vic. cap. 80,"—(*Sir James Elphinstone,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER hoped that the Committee would not consent to such an ignominious expedient for meeting the expenses of the country. He regretted very much that it had been found possible for individual Members of the House to propose Motions which enabled the House to escape its responsibilities by the expedient of hiding from the public what it was about. If there was one thing which all of them ought to advocate it was plainness and simplicity in their proceedings. In certain instances he did not deny that certain expenses might be met by an addition to the debt of the country. This was done in the case of the abolition of the slave trade; and in 1860, when the country had to provide for some £4,000,000 or £5,000,000 of war expenditure, Parliament thought fit after careful consideration to provide for the expenses of the fortifications by an addition to the debt of the country. He remembered well that at that time the hon. and gallant Member proposed that they should take —say £20,000,000, and provide for the expenses of harbours of refuge. [Sir JAMES ELPHINSTONE: Docks I said.] Such a proposal as this ought to be resisted by every man who adhered to the principle that the annual expenditure ought to be met out of the income of the year. The Motion after all was a futile Motion. If it had the slightest chance of being carried the bench opposite would not have been so empty, or rather it would not have been so thinly occupied. Certainly the hon. Baronet the Member for Stamford (Sir Stafford Northcote) would have been there to object to it, and by inference the right hon. Member for Bucks would have been there also to support the great financial authority of the other side. Armed, therefore, with this cumulative authority, he appealed to the Committee not to sanction this ill-considered Motion.

MR. CORRY said, the question had been fully discussed at an earlier period of the evening before the Chancellor of the Exchequer came down to the House, and the right hon. Gentleman would find that the Vote which the First Lord of the Treasury proposed was £11,000,000. [The CHANCELLOR of the EXCHEQUER: £5,000,000.] When the right hon. Gentleman talked of ignominious expedients, he seemed to have forgotten altogether that he was Chancellor of the Exchequer when this loan of £11,000,000 was proposed, and he certainly must have concurred in it.

MR. BENTINCK thought that the course taken by the right hon. Gentleman was very singular. If he had attended in the House, instead of spending his time more agreeably elsewhere, he would have heard the argument which had been used. He was glad to hear the right hon. Gentleman express his approval of plainness and simplicity of dealing, but nothing could be more plain and simple, or more calculated to let the public know what they were doing in such matters as these, than asking for a lump sum like this. As the right hon. Gentleman had quoted authorities on the Opposition side of the House on which he seemed to place great weight, perhaps he would refer to the speech of the noble Lord at the head of the Government in proposing a loan for the fortification scheme, and if he could answer these arguments he might make out a case against this Motion.

MR. LYGON said, he was reluctant to take part in the debate, but as the Chancellor of the Exchequer had contradicted his right hon. Friend he would refer him to *Hansard*, where the noble Lord was distinctly stated to have said that the recommendations of the Commissioners amounted to an outlay of £11,000,000. [Mr. CORRY: Read on.] He found that in the Resolution proposed by the noble Lord a sum of £2,000,000 was taken for the first year, the noble Lord stating that it was as much as could be advantageously laid out within the twelve months, and that the expenditure of the other £9,000,000 would be spread over future years. It would not do, therefore, for the right hon. Gentleman to get up and shelter himself under the shield of "Parliament in its wisdom," and condemn as "ignominious" a course which the Government of which he was the Finance Minister had themselves taken.

THE CHANCELLOR OF THE EXCHEQUER said, there was a mistake on the part of the hon. Member. It was true that the recommendation of the Commissioners was for the amount stated by the hon. Gentleman, but the application of my noble Friend was limited to a sum of £5,000,000 in all.

Lord CLARENCE PAGET observed that the circumstances of the case of the fortifications and those of the dockyards were quite different. In the former case a new construction was necessary; in the latter only an extension was required.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Power to make Contracts for Works).

In reply to Mr. Corry,

Lord CLARENCE PAGET said, that the Malta dock was not included in the Bill, because an annual Vote of a comparatively small sum would be sufficient for the works there.

Mr. LYGON asked what guarantee the contractors for the works scheduled in this Bill would have that the Government would propose a Vote in the Estimates to pay them for their contract. The sum for payment for the conveyances of the mails between Dover and Calais under the present arrangement had never been proposed in Committee of Supply.

The CHANCELLOR of the EXCHEQUER said, that the last subject to which the hon. Gentleman opposite ought to call attention was the Churchward contract. Surely after the Report of the Committee and the ratification of that Report by the House of Commons, the Government would not have been justified in proposing any Vote for the continuance of that contract.

Mr. LYGON, as one of the Members of the Board of Admiralty who had signed the Churchward contract, declared that he had never seen any reason to regret that step, and he denied that the House of Commons had ever pronounced a condemnation of that contract.

The CHANCELLOR of the EXCHEQUER said, if the hon. Gentleman was dissatisfied with the decision of the House, he could at any time move a Resolution on the subject, and he was prepared to debate the question with him.

Mr. LYGON said, the right hon. Gentleman knew that no person could propose a Vote for money except Her Majesty's Ministers.

The CHANCELLOR of the EXCHEQUER said, he found he had understated the case, because he was informed that the subject was discussed in Committee of Supply, and afterwards upon the bringing up of the Report the proposition was made to omit certain words which raised the question.

Mr. LYGON again declared that no Vote was ever proposed. This was the only mode in which the question could be raised, and he challenged the right hon. Gentleman to raise it by proposing a Vote.

Lord CLARENCE PAGET said, the security for the contractors would be that the engagements had received the sanction of Parliament.

Clause *agreed to.*

Remaining Clauses *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next.

LUNATIC ASYLUMS (IRELAND) BILL.

On Motion of Mr. Blake, Bill to amend the Laws relating to Lunatic Asylums, and to make better provision for the care and treatment of poor persons afflicted with insanity, in Ireland, *ordered* to be brought in by Mr. Blake and Mr. M'Mahon.

Bill *presented,* and read 1°. [Bill 171.]

MILITIA BALLOTS SUSPENSION BILL.

On Motion of The Marquess of Hartington, Bill to suspend the making of Lists and the Ballots for the Militia of the United Kingdom, *ordered* to be brought in by The Marquess of Hartington and Mr. Peel.

Bill *presented,* and read 1°.

DEFENCE ACT (1860) AMENDMENT BILL.

On Motion of The Marquess of Hartington, Bill to explain "The Defence Act, 1860," *ordered* to be brought in by The Marquess of Hartington and Viscount Palmerston.

Bill *presented,* and read 1°. [Bill 176.]

MILITIA PAY BILL.

Bill "to defray the Charge of the Pay, Clothing, and Contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons' Mates of the Militia; and to authorise the Employment of the Non-commissioned Officers," *presented,* and read 1°.

House adjourned at half
after One o'clock, till
Monday next.

HOUSE OF LORDS,

Monday, May 29, 1865.

MINUTES.] — *Sat First in Parliament* — The Earl Poulett, after the Death of his Uncle.

PUBLIC BILLS — *First Reading*—Local Government Supplemental (No.3)* (127); Churches and Chapels Exemption (Scotland)* (128); Dogs Regulation (Ireland)* (129).

Committee—War Department Tramway (Devon)* Clerical Subscription (132); County Voters Registration* (116); County of Sussex* (114).

Report — Companies Workmens' Education (131); County Voters Registration* (116); County of Sussex* (114).

Select Committee — Sewage Utilization, Earl of Essex *added.*

Third Reading — Police Superannuation* (95); Pilotage Order Confirmation*, (67) and *passed.*

COMPANIES WORKMENS' EDUCATION BILL—(No. 121.)—REPORT.

Amendments *reported* (according to Order.)

Clause 1 (A Majority of a Meeting of Three Fourths of Shareholders may Vote Money for Purposes of Education, &c.)

Moved, to leave out Clause 1, and insert the following clause in lieu thereof.—(*The Lord President.*)

"Any Joint Stock Company or Corporation may by a Resolution passed by a Majority of not less than Three Fourths of such Members of the Company for the Time being entitled, according to the Regulations of the Company, to vote, as may be present in person or by proxy (in Cases where by the Regulations of the Company Proxies are allowed) at any General Meeting of which Notice specifying the Intention to propose such Resolution has been duly given, and such Resolution being confirmed by a Majority of such Members for the Time being entitled, according to the Regulations of the Company, to vote, as may be present in Person or by proxy at a subsequent General Meeting, of which notice has been duly given, and held at an interval of not less than Fourteen Days and not more than One Month from the Date of the Meeting at which such Resolution was first passed, resolve that any Sum of Money, not exceeding that of which such Notice shall have been duly given as above mentioned, shall be applied, either in gross or annually, for such Period as they may resolve, in providing Education, Worship, or Religious Instruction of the Families of the Persons employed by them, and they may also, by any Resolution similarly passed and similarly confirmed, resolve that any Land not exceeding an Acre in any One Vote shall be granted or appropriated, in perpetuity or otherwise, for any of the Purposes aforesaid; and thereupon the Directors or other Persons authorized to manage the Affairs of the Company or Corporation shall carry such Vote into effect: Provided nevertheless, that any such Resolution shall contain such Orders as shall provide for admitting to the Benefits of the Education which it provides the Children of Parents not in Communion with the Church, Sect, or Denomination, according to the Doctrines or Formularies of which Religious Instruction is by the same or by any previous Resolution of the Company directed to be provided."

THE ARCHBISHOP OF YORK regretted that the noble Earl (Earl Granville) should propose to introduce a "conscience clause" into a Bill with which it had nothing to do. The Bill was simply to allow public companies to do what any private persons or firms could do and ought to do at present—to attend to the educational wants and well-doing of the children of their work-people. He was quite astonished to find there was room for a conscience clause within the four corners of the Bill. It was a conscience clause in an exaggerated form, because the conscience clause was essential only where there was but one school in a town. In the case of a great railway town like Crewe, where the interests of Nonconformists were carefully watched, and where they had already sufficient schools for their children, some one might be willing to give a sum of money to endow a school for his own sect or denomination. He might offer to pay all costs if the company would only give a bit of land; but this trifling gift could not be made if this clause were adopted, unless provision were made in the same order that all other sects and denominations should be educated at the school. But they are supposed to be all provided for already. The Bill was extremely simple in its character, and knowing something of towns where such schools had been established, there having been such places in the diocese over which he formerly presided as well as those in his present province, he could state that in them never had there been any complaints of the children of Nonconformists being excluded. There were many cases in which schools were kept up by the sufferance of companies, and which a single adverse vote would stop; but they never were stopped, because the want of education was admitted by all, and because education was fairly provided for all. He challenged the noble Earl to point to a single case of hardship. He had always understood that Parliament never fettered the action of any one, unless it also conferred privileges. This Bill only sought to cure an omission in railway legislation, but the proposition of this clause would change a simple act of justice into a controversial measure. He would never advocate any system by which the Church Catechism would be imposed upon Nonconformists, nor could he be a party to the infliction of any hardship upon Dissenters, but he could not consent to this needless clause.

Earl GRANVILLE said, that the observations of the right rev. Prelate seemed to imply that the object of the Bill was simply to allow railway companies to do that which individuals had the power to do at present; but, in fact, the Bill applied to all joint-stock companies of every description. Joint-stock companies were associations of persons for certain specific objects, and the Bill would give power to a certain proportion of the shareholders to grant for educational purposes money from funds which had been subscribed by the general body of shareholders. Now, the minority of the shareholders might be, and very probably would be, Dissenters; and he (Earl Granville) maintained that if they did confer this compulsory power upon the majority, it was also perfectly fair that they should accompany that power by the admission of a principle which had already been adopted in the Endowed Schools Bill by the right rev. Prelates themselves—that of precluding the minority, whatever their number, from being compelled to subscribe their money towards the maintenance of schools perfectly exclusive in their character, by which course their children would either be debarred from participating in the benefits of the education for which their parents were compelled to pay, or would receive an education contrary in its character to that of which the consciences of parents and the shareholders approved. It appeared to him to be purely an act of common justice, and he was therefore extremely pleased when he saw the most rev. Prelate rise in his place, knowing him to be one of those enlightened churchmen who shrunk, either directly or indirectly, from bringing any compulsion to bear upon those who did not concur in the doctrines of the Church of England, and averse from any proceeding which could by any possibility be regarded as an attempt to cram those doctrines down their throats. The most rev. Prelate, however, objected to the clause because he did not believe that any hardship was likely to occur. If such, then, were the case, he (Earl Granville) could not see the slightest objection to the introduction of the safeguard which he now suggested. If he thought that the clause which he proposed would in any way prevent the railway or joint-stock companies from establishing schools where religious instruction should be given, and that instruction, too, consonant with the doctrines of the Church of England, he should refrain from proposing it; but he felt convinced that the clause could not by any possibility operate in any such way.

The Bishop of LONDON trusted that his most rev. Brother would not divide the House on the question, for he thought that after all the question was one in which they might be guided by expediency. If it were really the intention and the practice to admit the children of Dissenters to these schools, he could not see any great harm in acknowledging the fact. He doubted whether a little more agitation had not been excited with reference to this clause from the circumstance that it bore a rather obnoxious name. It did not, however, represent the "conscience clause" of which they had heard so much, but was in reality taken from a measure which at the time of its passing received the sanction of the right rev. Bench.

Earl GREY said, there were other large companies besides railway companies—such as iron companies—which would be affected by the Bill, and he thought it most desirable that they should be relieved from the technical difficulty which now existed. The practical effect of the measure would be the same whether the clause were adopted or not, and he hopen the most rev. Prelate would not oppose the Amendment, because its rejection might jeopardize the measure in another place.

The Earl of CARNARVON said, he was extremely anxious that the measure should pass; but he would venture to urge upon the most rev. Prelate that he should insist upon the Bill in its original form, and not sanction the Amendment proposed by the noble Earl.

On Question, That Clause 1 stand Part of the Bill? their Lordships *divided*:—Contents 53; Not-Contents 38: Majority 15.

Amendment *negatived.*

CONTENTS.

York, Archp.
Dublin, Archp.

Marlborough, D.
Richmond, D.
Rutland, D.

Bath, M. [*Teller.*]
Salisbury, M.
Westmeath, M.

Amherst, E.
Bandon, E.

Belmore, E.
Carnarvon, E.
Derby, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Hardwicke, E.
Home, E.
Pomfret, E.
Powis, E.
Rosse, E.
Stanhope, E.
Wilton, E.

Clancarty, V. (*E. Clancarty.*)
Hawarden, V. [*Teller.*]
Lifford, V.
Melville, V.

Bangor, Bp.
Gloucester and Bristol, Bp.
Oxford, Bp.
Rochester, Bp.
St. Asaph, Bp.

Bolton, L.
Chelmsford, L.
Churston, L.
Colchester, L.
Crofton, L.
Delamere, L.
Denman, L.
Dunmore, L. (*E. Dunmore.*)
Heytesbury, L.
Inchiquin, L.
Kingsdown, L.
Lyttelton, L.
Moore, L. (*M. Drogheda.*)
Raglan, L.
Ravensworth, L.
Redesdale, L.
Saltersford, L. (*E. Courtown.*)
Scarsdale, L.
Sheffield, L. (*E. Sheffield.*)
Silchester, L. (*E. Longford.*)
Sondes, L.
Strathspey, L. (*E. Seafield.*)
Walsingham, L.

NOT-CONTENTS.

Westbury, L. (*L. Chancellor.*)

Devonshire, D.
Somerset, D.

Albemarle, E.
Caithness, E.
Chichester, E.
De Grey, E.
Effingham, E.
Granville, E.
Grey, E.
Saint Germans, E.

Eversley, V.
Stratford de Redcliffe, V.
Sydney, V.
Torrington, V

Lincoln, Bp
Llandaff, Bp
London, Bp.
St. David's, Bp.
Annaly, L.
Belper, L.
Boyle, L. (*E. Cork and Orrery.*)
Cranworth, L.
Ebury, L.
Foley, L. [*Teller.*]
Granard, L. (*E. Granard.*)
Harris, L.
Houghton, L.
Oxenfoord, L. (*E. Stair.*)
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Portman, L.
Rossie, L. (*L. Kinnaird.*)
Seaton, L.
Somerhill, L. (*M. Clanricarde.*)
Stanley of Alderley, L.
Taunton, L.
Wensleydale, L.
Wentworth, L.

An Amendment made; Bill to be read 3ᵃ *To-morrow;* and to be *printed* as amended. (No. 131.)

MANNER OF TAKING DIVISIONS IN THIS HOUSE.

STANDING ORDER PROPOSED.

THE DUKE OF RICHMOND rose to call the attention of the House to the Manner in which Divisions are taken, with a view to some Standing Order being passed to regulate the same. On a recent occasion considerable confusion had arisen in consequence of the manner in which the Question was put. The noble and learned Lord on the Woolsack put the Question as he was in the habit of doing; but there did not appear to be any distinct rule for the guidance of the House as to what interval should elapse between the putting of the Question and the Division actually taking place. Under these circumstances he thought some Standing Order should be passed to regulate the proceeding. The occasion to which he had referred, though of some importance, was not a very exciting one; but there were occasions when a division might involve the change of a Government, and when noble Lords, either anticipating the loss of office or accession to office, might not regard the matter with indifference. It would, therefore, be well to agree to some Standing Order while no excitement existed. He proposed that the following Standing Order be agreed to:—

> "That when, on the Question being put, a Division is called for, the noble Lord on the Woolsack, or in the Chair of Committees, shall order the House to be cleared. As soon as the House shall be cleared, the noble Lord on the Woolsack, or in the Chair, shall again put the question before the division takes place, and an interval of two minutes shall be suffered to elapse between the order of clearing the House and closing the doors."

That, he believed, was the practice which prevailed in the other House, and he believed it had been found entirely satisfactory. He moved that the words he had read should be adopted and become a Standing Order.

EARL GRANVILLE said, he did not object to the proposition, but he would suggest that the proposed Standing Order should be printed, that it might be seen by all their Lordships; and the noble Duke might afterwards move its adoption by the House.

LORD REDESDALE was understood to approve the proposed Standing Order.

EARL STANHOPE said, he was very glad the noble Duke had directed his attention to this subject. He thought it important that a Peer who had gone into the Library, perhaps, to consult a book on the subject of the debate should not be excluded from taking part in the division. The noble and learned Lord whose duty it was to put the Question should also be relieved in a moment of political excitement from all responsibility and the possibility of blame as to the time of taking a division. This could at once be secured by the interval of two minutes being suffered to elapse between the time of clearing the House and closing the doors. His noble Friend (Viscount Eversley), who had presided in the other House with so much credit as Speaker, could bear witness how well a similar system had worked in the other House of Parliament.

Lord EBURY said, he hoped when this subject was considered, that an effort would be made to define what was the House and what was not the House. On the occasion which had been alluded to a noble Lord sat in a particular portion of what he should have called the House; but it was said he was not in the House, and his vote was refused.

The Marquess of BATH said, he believed the practice to be, although no formal Resolution had been adopted to that effect, that every Peer who could hear the Question put was to be considered in the House.

The Duke of RICHMOND said, he would consider the subject fully and consult the Chairman of Committees and the Clerk of the Parliaments in regard to this Standing Order. He would have it printed, and bring it forward again immediately after the Whitsuntide holydays.

CLERICAL SUBSCRIPTION BILL:

(No. 132.) COMMITTEE.

Order of the Day for the House to be put into a Committee, read.

Moved, "That the House do now resolve itself into a Committee."—(*The Lord President.*)

The Archbishop of DUBLIN rose to move the Amendment of which he had given notice. The most rev. Prelate, who was very imperfectly heard, was understood to say that he felt some embarrassment in addressing their Lordships for the first time, especially on a subject eminently difficult and delicate, and considering, also, that the interest, the honour, and the well-being of that Irish Church with which he was so nearly connected were so much at stake in the conclusion at which they might arrive. For the measure itself on which his Amendment was made he could only express the same approbation which had already been expressed in that House. He was not going to praise that which all had praised, which all recognized as a useful, a healing, and a quieting measure; but it was of the manner in which the Bill had been introduced that he complained. The noble Earl (Earl Granville), in moving the second reading of the Bill, told them that it had not indeed the concurrence—for he would not admit that for an instant—but still that it had the approval of the Clergy in Convocation of the Provinces of Canterbury and York; but when the noble Earl arrived at that point he suddenly stopped—he made no mention whatever of those two Provinces of the United Church of England and Ireland—Armagh and Dublin. It was true that the noble Earl did not ascribe any importance to the approbation of the two English Provinces, and said, indeed, that their approval of the Bill was altogether superfluous and unnecessary. No doubt in some sense it was so. No one questioned the power of Parliament to pass such a measure as that before them; no one questioned the obligation on every subject to yield dutiful obedience to such a measure so passed; but they might doubt whether, although it was not legally necessary that those Provinces should consent to the Bill, it was not in a higher and more statesmanlike point of view most desirable that their consent should be obtained; and even in the passing remarks of the noble Earl he thought there was a certain recognition of that. The measure was avowedly a peace-making measure, intended to heal strifes and remove scruples, and he thanked Her Majesty's Government for introducing it; but still who could for a moment have believed that Her Majesty's Government would have introduced such a Bill in a manner that would have been ungrateful and distasteful to the great majority of those whom it most nearly concerned? Could any one have thought for an instant that they would have introduced the Bill in such a manner as to create dissatisfaction and discontent a hundred-fold greater than that which it removed? However lightly the approbation of the English Church might be spoken of, yet all felt and understood that the Bill would not have been brought in without it. Well, what they were doing for the English Church he asked them also to do for the Irish. It was true that the Irish Church was weak not altogether by its own fault, if the Church of England was strong—it might be able only to count its hundreds of thousands while the English Church counted its millions; yet if a principle were involved that could make no difference, and a principle was there involved. The English Church had had the opportunity of expressing, whatever value it might have, its concurrence with that measure. It had had the opportunity by Royal licence and permission of framing its canons and declarations in conformity with that which was probably to become part of the statute law of the realm. The Irish Church appealed to them for the same permission. There was in Ireland as in England a Convocation, which had been in abeyance for many years as that of England had been for about the same period. He was not about to trouble their Lordships with any antiquarian researches respecting that Convocation. He would only mention that it dated as far back—it could not date back any further, being called by Royal writ — it dated as far back as Parliamentary Government in Ireland; that from 1625 to 1711 it was repeatedly so summoned; that at its last period of meeting, in 1711, it passed five canons, which, having received the assent of Her Majesty Queen Anne, became part and continued part of the ecclesiastical law of Ireland. He was not at all desirous that that Convocation should be permanently revived — there might be many differences of opinion on the subject of whether that was desirable or not — but he asked that that opportunity should be given to it which was not withheld from the English branch of the Church—namely, that of having a voice in the alteration and amendment of its own canons and subscriptions, so as to bring them into harmony with those of the sister Church of England and with the legislation of the State. Let the Irish Convocation be called together merely *pro hoc negotio.* He besought their Lordships, who were pre-eminently the guardians of all that was historical and traditionary in the constitutional law of the Church and the State—who were pre-eminently the guardians of the weak, feeling that their own privileges were best maintained through the maintenance of the privileges of others, and knowing how many of them believed that the maintenance of the Irish Church was bound up with the best and truest hopes for the future of the whole Irish people — he besought them not to pass that slight upon that Church — not to inflict upon it that wound — not to set that mark of difference between it and the Church in England — not to create discontent and dissatisfaction and heart-burnings, and a sense of wrong far more serious, far wider, many times wider, than any evil which they proposed by that measure to remove.

Amendment *moved* to leave out from ("That") to the end of the Motion for the purpose of inserting

"This House does not deem it expedient, without the Concurrence of the Convocation of the Irish Provinces of the United Church, to proceed with this Bill so far as it may set aside and supersede the Canons of these Provinces; and that an humble Address be presented to Her Majesty praying that Her Majesty would be graciously pleased to convene the Convocation of the Irish Provinces for the Purpose of amending those Canons which relate to the Subscription of the Clergy and to the Oath against Simony, so as to assimilate the Law of the Church in England and Ireland in relation thereto, and so as best to secure the united Action of all the Provinces of the Church."—(*The Archbishop of Dublin.*)

Earl GRANVILLE said, that the most rev. Prelate had truly described the measure as one of a peacemaking character. He could assure him that Her Majesty's Government had never intended to introduce a Bill that would give the least offence or cast any slight upon the Church of Ireland. The measure was most earnestly desired, and he must strongly appeal to the most rev. Prelate not to press his Amendment. The late Primate of Ireland, the Archbishop of Armagh, had informed the Government with regard to the revival of Convocation in Ireland, that in his opinion it was not desirable that it should be revived, and the matter was most carefully considered at the time by the Government, who were entirely of the same opinion. Nothing had since occurred to change their views on that point, and therefore it was not their intention to call again into activity the Convocation of the Irish Church. The Government would deeply deplore if they had to abandon that Bill, or to confine its operation to England only, and on the other hand they could not agree to call the Irish Convocation together. He thought either of those alternatives most undesirable, and he trusted that the most rev. Prelate would not persevere in a proposition of so embarrassing a nature.

The Archbishop of YORK said, that he was not prepared to support the Amendment which his most rev. Brother had submitted to their Lordships' consideration. He hoped that a measure of this importance would not be delayed by its adoption. He wished to observe that the Bill contained very great and important changes, which were calculated to have a salutary effect. The desire for this measure had clearly arisen from the oppressive form of declaration sanctioned by the Act of Uniformity, by which statute the person making the declaration was bound to declare his unfeigned assent and consent to all and everything contained in the Book of Common Prayer. He was glad that for the enactment of that declaration the Church was not responsible—it was the act of the State; and it was very remarkable that the year after the Act of Uniformity passed a declaratory clause was added, at the suggestion of a Committee of their Lordships' House, that the declaration of assent should be understood as to practical obedience and not otherwise; that the assent and the consent were not to all and everything in the Prayer Book, but to the use of all and everything in the Prayer Book. Thus it was now proposed to sweep away that declaration, and to substitute the following for it:—

> "I, A. B., do solemnly make the following declaration:—I assent to the Thirty-nine Articles of Religion, and to the Book of Common Prayer, and of the ordering of Bishops, Priests, and Deacons. I believe the doctrine of the United Church of England and Ireland, as therein set forth, to be agreeable to the Word of God; and in public Prayer and administration of the Sacraments I will use the Form in the said Book prescribed, and none other, except so far as shall be ordered by lawful authority."

He wished to explain that that declaration had been adopted after most careful discussion by the unanimous vote of all the Members of a very large Commission, representing every phase of public opinion on this subject. It had been said that the change involved in adopting this declaration was very slight. On the contrary, it was very large and important; and before the Act was passed the Church and the country ought to consider how much was carried in it. With regard to the Articles, the old form declared that the Articles were agreeable to the Word of God; the new one will affirm that the doctrine of the Articles is agreeable to the Word of God; but a question might be raised, as old, indeed, as an Act of Elizabeth, whether all the Articles did contain doctrine—whether this part of the declaration necessarily covered all the Articles. Then, as to the Prayer Book, in accepting the doctrine of the Prayer Book, how much does the subscriber really bind himself to? The Courts have held that to constitute the offence of heresy, some definite proposition of the Articles or formularies must be impugned. But words of devotion are not propositions; wishes or aspirations are not dogmatic statements. Therefore, so far as legal decisions went, the Prayer Book would contain little doctrine, however much it might imply. The new declaration would be much less stringent than the old, both as to the Prayer Book and the Articles. He did not urge this as an argument against the measure, far from it; but the change was too great to be passed in silence, and he thought it right to avow that it was great. With regard to the words "so far as shall be ordered by lawful authority," when that part of the declaration was drawn up by the Commission, it was by no means contemplated to leave the lawful authority undefined, and he was afraid that some difficulty might be felt in consequence of the existence of those words. The question might arise what was the lawful authority; and he thought it most important in making a declaration that there should be nothing doubtful in it. He would, therefore, be disposed to move the omission of those words, unless some attempt were made to define what was meant by the expression "lawful authority."

THE BISHOP OF KILLALOE said, he desired to draw back their Lordships' attention to the Amendment which had been moved, and he begged to observe that he adopted every word which had fallen from the most rev. Prelate who proposed it. He was fully persuaded of the good intentions of Her Majesty's Government, and he thought that all ought to feel grateful for their manifest design to assimilate the ecclesiastical law in England and Ireland. On the other hand, people would look at the whole of the matter, and not merely at the declarations of the noble Earl the President of the Council, who had spoken of the assent of the Irish Provinces of the Church as of no great consequence, while at the same time he was fully aware that the approval of the English Provinces had been sought for to the measure. In point of fact, although it might be alleged the assents of the Convocations of Canterbury and York were not necessary, still they had been asked for in order to facilitate the passing of this measure, and he thought the same course ought to have been taken with regard to the Irish Convocations. He knew, however, that allowances must be made for the difficulties of all Governments. But the Bill as it stood might bear two opposite interpretations. On one side it might be said that the Legislature regarded as superfluous and unnecessary the concurrence of the Synods of the Church in the passing of the Bill. The Convocations of York and Canterbury, no doubt, had been indulged in their innocent desire to play at deliberation over the measure; but it had not been thought in any way necessary to call for the assistance and advice of the Synods of Armagh and Dublin. He trusted his brethen of the English Church would not lend their countenance to any such interpretation as this of the duty and functions of the councils of the Church. On the other hand it might be said that though by the law of England, by several legislative Acts, and by the declarations of Her Majesty's Ministers, the Irish provinces formed an integral part of the United Church of England and Ireland; yet in reality, and under the rose, this was understood to be merely a civil matter, the Irish Provinces were not called into consultation, while by some it was thought the time was nearly approaching when all connection would be severed, and the Irish Provinces cast off entirely. It could not be expected that the representatives of the Irish Church would quietly accept such views as these, and he trusted that his Brethren of the English Bench, and even a considerable proportion of their Lordships, who thought it of importance that an ecclesiastical measure should have the approval of the Synods of the Church, would be unwilling so to regard the matter. Two classes of subjects were dealt with by this Bill. The first was the real difficulty; and it was created by the Act of Parliament imposing the declaration of assent and consent: with that Convocation had nothing whatever to do. The declaration was imposed without its desire, contrary, he believed, to the wishes of the Bench of Bishops, and in a manner distasteful to their Lordships' House. The people, however, of that day had seen their Archbishop murdered, their clergy plundered and driven out of their houses; no wonder, then, that they were disposed to deal sternly with those whom they believed to be the authors of those practices. If this Act of Parliament were the great grievance that was represented, it would be easy for the Legislature to alter their statutes, and allow the Convocations to alter their canons, as they were perfectly ready to do. It was notorious that all the Synods of the Church, if they only obtained licence, were ready to carry out the excellent suggestions of the Royal Commissioners. He had not a word to say against the Report of the Royal Commissioners, or against the frame and structure of that Commission. It introduced, however, a new era, and set a new precedent in Church matters, when the ecclesiastical advisers of the Legislature, instead of being Synods of the Church, duly convoked, and including in some form or other the representative principle, were to be Royal Commissioners selected by the advisers of Her Majesty. Nothing could be fairer than the way in which the Royal Commission had been constituted; but it must be remembered that a precedent bad in its operation always had its origin in something totally unobjectionable; and he should not be accused of pedantry if he appealed to history for confirmation of this assertion—speaking in that House, and in presence of the noble Earl, who, re-stringing the old harp of Homer, found time, amid the distraction of anxious political life, to sing with old Homeric inspiration "the awful deeds of heroes and of gods." Cæsar, on the occasion of some unconstitutional proceedings against the Catilinian conspirators, said he had no fears whatever under Marcus Tullius—nobody could feel greater confidence than he did in him—but he dreaded that the precedent set by the course then advocated might be used another time for a worse purpose—*atque ego hoc non in M. Tullio, neque his temporibus vereor.* In like manner, he (the Bishop of Killaloe) had no objection to the manner in which this Royal Commission had been constituted or to any of the Members of which it was composed, nor had he any material objections to their Report, but he did object strongly to the principle that the ecclesiastical advisers of the Sovereign and the Legislature were to be Commissioners selected in this manner. It had always been felt that the Legislature required some kind of Ecclesiastical body to advise and co-operate with it, even at a time when nobody could exercise the functions of a Member of Parliament without being a professed member of the Established Church. On looking into the *Journals* of their Lordships' House that morning, he found that in the reign of William and Mary, when their Majesties addressed both Houses, and declared their great affection for the Church of England, and their resolution and determination to maintain it, at the same time requesting Parliament to take measures for the ease of scrupulous consciences and for improving the position of Dissenters, that House made a respectful answer, which would be found in their Lordships' *Journals* for the year 1689, praying their Majesties—

> "To issue forth their writ, calling the Convocation of the clergy of this kingdom to be advised with on ecclesiastical matters."

He was very far indeed from saying that the Convocations of the Church were perfect; Convocation had been often disgraced by sad scenes—but so also had Parliament, he was afraid; and it was not long since they heard that representative institutions were on their trial, and that grave doubts existed whether they could work on. He was not entering upon a general defence of Convocation, but this he would say, as he was forced to speak of the Irish branch, that, although there might have been scenes in it which were to be deplored, there never were any of those unseemly conflicts between the Upper and Lower Houses which had taken place across the water — they always worked together in harmony; and on the last occasion that Convocation sat in Ireland, their final occupation consisted in drawing up canons for the purpose of enabling the Church to work more thoroughly with the Irish speaking population, by the translation into Irish of the Scriptures and Book of Common Prayer. And it was the jealousy of the English Government with respect to such proceedings that formed the immediate cause of the suppression of Convocation. Not once, but frequently, this had been the case with the Church of Ireland. When that Church was most seriously endeavouring to discharge its proper functions and to perform its proper work, it had been stopped by the interference of England, and afterwards the very blame of that cessation from work, of that enforced apathy, had been thrown by England upon the Irish Church. In many respects, no doubt, Convocations were wanting; but it was one of the principles involved in their constitution that they contained a representation of the presbyteries of the Church. In advocating them he was not speaking so much for his own order. The Bishops of the Church—at least the majority of them—were still Members of that House; and it was still possible for the Primate of all England, the Peer, who, next to the Royal blood, was first of all the peerage of England, to get a hearing for a few hurried words on matters of grave importance, even while the House was impatient to get to a Bill about police regulations. But he was speaking now of the privileges of the presbyteries, whose peculiar right it was to form a constituent part of the Synods of the Church. That right they traced from the principles of the Constitution itself, and from the representative principle running through all its branches. Parliament, by its legislation, was setting aside that right of representation, in order to substitute for it a Royal Commission, consisting of persons chosen by the advisers of the Crown. He did not know whether the noble Earl (Earl Granville) in introducing this matter to their Lordships had conveyed to their minds a clear conception of one matter. The communication to which the noble Earl the President of the Council alluded was a paper issued by the Primate of Ireland, in the name of himself and of the Bishops of the Irish branch, in which he requested Her Majesty's Government, instead of proceeding by four several Convocations to advise Her Majesty, to call together an united synod of the entire Church. He (the Bishop of Killaloe) quite concurred in this view, that by far the best way would be to summon a Synod of the entire Church; and he thought that that request was one which should not have been refused, and that would have removed all difficulty from the matter. At the time of the Union, Mr. Pitt made a distinct statement in Parliament that it was unnecessary to insert any provision for the purpose in the Acts of Union, because it was the inherent right of the Sovereign, as head of both branches of the Church, to call Convocation together whenever he pleased. That, undoubtedly, was what he should greatly prefer; but as that request was refused, the Irish Bishops asked for the next best thing. If there were any doubts or difficulties in the matter, he would suggest that the Amendment should be framed in such a manner as to take the form of a Motion for a Select Committee to consider what was the proper form of recurring to the advice of the bishops and clergy of the Irish Church. For years the Irish Church had been asking for synodical action. At one time they received no answer; then a positive refusal; then that the Convocations of York and Canterbury having done nothing which the Queen would be advised to ratify, her Majesty's advisers considered that there was no necessity for a Convocation of the Irish Provinces. Statesmen had been so constantly occupied in checking the usurpations of the Church, that, considering that the danger lay on that side, they neglected to look to the other side. It was not for the interest of the Commonwealth that the civil power should be all in all. The State required the aid of religion to give sanction to its precepts, and unless there were a reference to that higher law whose seat was in the bosom of God, the law of the State would be in vain—if they confined the law to the horizon of this world they would make it mean and brutal, and deprive it of more than half its value. When statesmen had enslaved the Church, deprived it of all freedom of action, and stripped it of al that made it venerable in the eyes of men, they would find the tool to be useless with which they intended to work. A greater folly could not be attempted by any statesman than to turn the Church into a mere branch of the Civil Service, and at the same time to expect it to answer any civil end whatever. The union of Church and State could be maintained without impairing the activity of the Church; but, looking at the matter in a worldly point of view, and the State and the Church as two societies, the union of the Church and State was more desirable for the State than for the Church. It answered higher purposes than earthly ones; it freed the clergy from temptations, which temptations might otherwise be too strong for them; temptations to become slaves to the people or to corrupt and debase their doctrines in such a way as to make them absolute despots.

LORD LYTTELTON said, the Commissioners had certainly regarded it as an axiom in their proceedings that there should be no difference with respect to what was to be recommended for the English and Irish branches of the Church. But he must admit that the Commission had overlooked the practical difficulties which would arise, and which had arisen. The Report did not say a word about Convocation, but they took for granted that, with regard to England, by immemorial usage the alterations of the canons which they recommended would require the sanction of the Convocations of Canterbury and York;—because, though no doubt Parliament, according to the old legal saying, could do everything except "turn a man into a woman," it did not do everything, and one of the things which it was not likely to do was to alter the canons of the Church without the sanction of Convocation. Taking these two things together—the necessity of not separating the two branches of the Church, and the necessity of consulting Convocation — the present occasion was one of difficulty. The right rev. Prelate (the Bishop of Killaloe) said there was no difficulty in calling together the Convocation of the Irish Provinces; but there was this technical difficulty, that there were no records of the Convocation of the two Provinces. At the time that Convocations were held in Ireland there were four ecclesiastical Provinces. At the present time he thought that it was practically out of the question to call Convocation together in Ireland for the purpose of obtaining the assent of that branch of the Church to this alteration. He wished to know from the most rev. Prelate (the Archbishop of Dublin) whether it was the intention of his amendment that it should be an Instruction to the Committee that the case of the Irish Church should be postponed and left for further consideration? In his opinion that might be the best compromise; for on the one hand he should be sorry to advise the Irish Prelates to waive the rights of their church, but, on the other he could not agree to postponement of the measure as it concerned England. He attached great importance to the measure; he believed that it had a very good chance of passing this Session, and he was exceedingly unwilling to give up this prospect because of the difficulties of one branch of the Church. He should advise the Irish Prelates not to do anything that would have this effect, especially if they were willing to have the Bill passed and the case of their own branch of the Church omitted from it, and considered on a future occasion.

THE EARL OF BANDON said, that the noble Earl (Earl Granville), in moving the second reading of the Bill, said that the measure was one of kindness and conciliation; and, if so, he asked, why should the Irish Protestants be the only parties excluded from the benefit of a Bill which was declared almost universally to be good? If it would relieve the English Church from a difficulty, why should not the Irish Church have the same benefit? He thought that more time should be given for consideration. The noble Earl (Earl Granville) doubted whether it would not be necessary to call together the Convocations of the four Provinces; but by the Church Temporalities Act it was declared that all powers whatever which were theretofore possessed by the Provinces of Cashel and Tuam should be transferred to those of Armagh and Dublin. Any noble Lord who knew Ireland would, he was sure, concur with him in the statement, that the condition of the Church in Ireland was rapidly improving, and new churches were rising up day by day. He would, with the permission of their Lordships, read an extract from a speech by the late Bishop Jebb of Limerick, in which he stated his opinion in reference to the position of the Church of England and the Church of Ireland. The right rev. Prelate said—

> "One point and I have done. We have lately heard frequent mention of the Church of England and the Church of Ireland. I have myself heard it maintained in various companies, and I have read the doctrine in several publications, that the Church of England stands on a different footing from the Church of Ireland, and that the one Church ought to be treated differently from the other. Now against this doctrine, against any conclusion deducible from it, I most solemnly protest. I know the law knows not of any Church of England; I know the law knows not of any Church of Ireland; I know the law knows of one Reformed Episcopal Church within this realm, the United Church of England and Ireland. The English portion and the Irish portion at the period of the Union were bound together indissolubly, and for ever. They are one in doctrine, one in discipline, one in government, and one in worship. Each portion, therefore, must be treated as the other. Again, if one portion of the Church suffers, all must suffer with it. The Church in England and the Church in Ireland have no separate interests, have no separate being. They must stand or fall together. The United Church of England and Ireland is one and indivisible."

In conclusion, he (the Earl of Bandon) expressed his earnest hope that their Lordships would aid them in the attempt to obtain what was due to the Church of Ireland.

The Bishop of OXFORD said, he could not but think that this matter had been put in a somewhat false position. He believed that the most rev. Prelate (the Archbishop of Dublin) had not intended to make his Motion as an Amendment to going into Committee, but rather to move a Resolution in Committee in reference to the Irish branch of the Church. He (the Bishop of Oxford) was most anxious not to vote against anything that the Prelates of the Irish Church should think desirable for the maintenance of the rights of the Irish branch; but he must say that he could not vote for this Amendment on the Motion for going into Committee, because he thought that it was most important that this Bill should be at once proceeded with. He would therefore suggest to his most rev. Friend that he should withdraw his present Motion, and that he should in Committee move either that the clause bearing upon the Irish branch of the Church should be postponed for further consideration, or to move an Address to the Crown, praying the Crown to call Convocation together, and thus allow them in a constitutional manner to alter the canons of the Church. He must, however, strongly deprecate the doctrine that the supposed exigency of the Irish branch being used in such a way as to give rise to a taunt that it acted upon the progress of the English branch as a retarding power; and he thought that a persistence in this Resolution would expose it to that imputation. This would be to put his Irish brethren into an altogether false position; and it would tend to do harm to the cause of the Irish branch of the Church. He confessed that he did not see any great hardship in postponing this matter in reference to the Irish branch until next year, it being no new thing that legislation for the Irish Church should follow that for the Church of England. It was not true that the canons of the two branches of the United Church were now identical—they were different in important points, and they needed to be brought closer together; but there was no necessity for that agreement in the time and manner of legislation which was now contended for. If the Prelates of the Irish Church wished to see the constitutional mode of Church action established in Ireland, let them bring that forward as a proposition by itself; and not place it as an obstruction in the way of direct English legislation. As the case at present stood, many of the English Prelates would have to vote against their Irish brethren. They did not, however, wish to be placed in that position, and therefore he trusted that the most rev. Prelate would withdraw his Motion, as he could bring it forward in another shape in which the English Bishops could give it their independent support.

The Bishop of LONDON joined his request to that of his right rev. Brother, and upon this strong ground—that they were by this Amendment requested to ask for the Irish branch of the Church that which had not been conceded to the English branch. They were, moreover, asked to stop legislation for England, and to pray that Her Majesty would be pleased to call Convocation together in Ireland for the purposes named in the Motion. But they had made no such Address to the Crown in reference to England; and although when Convocation was sitting it had been understood that it would not be unacceptable that they should consider this question, there had been no attempt on their part to stop legislation until this had been done, and therefore the Irish Church claimed what the English Church had not claimed. What had been done was conciliatory to the Irish Church. The two Primates of Ireland had been placed upon the Commission, they had been consulted upon every step taken, and there was a strong feeling on the part of the Commissioners that the English and the Irish Church should be treated in the same manner. A strange error had found its way into the usual organs of public opinion, that it was the wish of the Commission that the Irish Church should be treated differently from the English Church; but when he expressed his own conviction that upon the maintenance of the Irish Church depended greatly the prosperity not only of Ireland but also of England, and when he stated that there was a kindly feeling exhibited, he believed, by all the members of the Commission towards the Irish branch of the Church, he did not think it unreasonable that they should ask the most rev. Prelate not to claim for the Church in Ireland that which had neither been accorded to nor claimed by the Church in England.

The Archbishop of DUBLIN said, he regretted that his ignorance of the forms of the House had led him into a course he had not intended to take. He certainly had not intended to oppose any obstacle in the way of legislation, but simply to move his Motion as a first Amendment in Committee. With permission of the House, he would strike out the first six lines of his Motion, and begin with the words, "That an humble Address be presented to Her Majesty."

The Bishop of OXFORD said, that the Motion in that form would have precisely the same effect. If it were moved prior to going into Committee it would stop the progress of the Bill.

The Archbishop of DUBLIN withdrew his Amendment.

Amendment (by Leave of the House) *withdrawn;* then the original Motion *agreed to.*

House in Committee accordingly.

Clause 1 (Declaration of Assent.)

The Bishop of OXFORD *moved* to strike out the words at the conclusion of the clause—

> "I will use the form and the said book prescribed, and none other, except so far as altered by lawful authority."

After a few words from Earl Granville,

Amendment *withdrawn.*

Clause *agreed to.*

Clauses 2 and 3 *agreed to.*

Clause 4 (Oath of Allegiance).

The Bishop of OXFORD drew attention to the fact that this clause was not in conformity with the recommendations of the Commission. He trusted that in this, as in all other cases, their recommendations would be carefully followed.

Lord LYTTELTON hoped that the House would not be led into the belief that the Commission attached to all its recommendations the same importance, or that it advocated such strict adherence to its recommendations in regard to this clause as in the case of Clause 1.

Lord CRANWORTH said, that the state of the law on this subject was somewhat complicated. The clergy took the oath of allegiance and supremacy only; but there was also the oath of abjuration. Two or three years ago an Act was passed substituting for the three oaths another oath; but it was held by some of the Courts that inasmuch as the clergy only took the oaths of allegiance and supremacy the recent Act did not apply to them. The subject was very much discussed in the Commission whether it would not be better to get rid of all differences in the oaths; that there should be but one oath in lieu of the three; and that that should be taken by the clergy instead of the two they were in the habit of taking. He thought that a very desirable change; but if it was at all felt that this was any departure from the recommendations of the Commission, or that it would in any way endanger the passing of the Bill, it would be much better to strike out the clause.

Earl GRANVILLE said, that rather than endanger the Bill he would withdraw the clause.

Clause *negatived.*

Remaining clauses *agreed to.*

The Report of the Amendments to be received *To-morrow;* and Bill to be *printed* as amended. (No. 132).

House adjourned at Eight o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, May 29, 1865.

MINUTES.]—SELECT COMMITTEE—On Mining Acts *nominated* (*see* p. 73.)

PUBLIC BILLS—*Resolutions in Committee*—Kingstown Harbour.

Ordered—Navy and Marines (Wills)* ; Navy and Marines (Property of Deceased)* ; Naval and Marine Pay and Pensions* ; Colonial Marriages Validity* ; Colonial Laws Validity* ; Kingstown Harbour.*

First Reading—Navy and Marines (Wills)* [180]; Navy and Marines (Property of Deceased)* [181]; Naval and Marine Pay and Pensions* [182] ; Colonial Laws Validity* [183] ; Colonial Marriages Validity* [184] ; Kingstown Harbour* [185] ; District Church Tithes* [186].

Second Reading — Greenwich Hospital [113]; Colonial Governors (Retiring Pensions) [133]; Crown Suits, &c.* [146] ; Drainage and Improvement of Lands (Ireland) Provisional Order Confirmation (No. 2)* [ ] ; Harwich Harbour* [137] ; Pier and Harbour Orders Confirmation (No. 2)* [168].

Committee — Constabulary Force (Ireland) Act Amendment [122] ; Greenwich Hospital* [113] ; Prisons (*re-comm.*)* [140]—R.P.

Report—Pier and Harbour Orders Confirmation* [177] ; Constabulary Force (Ireland) Act Amendment* [178] ; Greenwich Hospital* [179].

Considered as amended—Dockyard Extensions* [145].

Third Reading—Inclosure (No. 2)* [145] ; Smoke Nuisance (Scotland) Acts Amendment* [139], and *passed.*

MIDDLESEX INDUSTRIAL SCHOOLS BILL.

REPORT OF SELECT COMMITTEE.

Order [11th May] that the Report from the Select Committee on the Middlesex Industrial Schools Bill do lie upon the Table read.

MR. DOULTON moved that the Report from the Select Committee on this Bill be read and discharged, and that the Bill be withdrawn.

Motion made, and Question proposed, "That the said Order be discharged,"—(*Mr. Doulton,*)—Question put, and *negatived.*

MR. HENNESSY said, he should oppose the Motion. The Bill contained very useful clauses, and was more in the nature of a Public than a Private Bill.

SIR WILLIAM JOLLIFFE stated, as Chairman of the Committee, that two important questions arose in considering this Bill; the first was a claim for a Government Grant, which the Committee were unanimous in refusing; the next was the introduction of clauses such as were contained in the Prison Bill for the religious instruction of the inmates, and which the Committee were of one opinion in recommending. It was because these clauses were introduced that the promoters wished to withdraw the Bill.

MR. T. G. BARING said, he hoped the House would not agree to the Motion, as the Bill contained some very useful clauses, and it was a desirable measure to pass into law, notwithstanding the promoters had withdrawn their support. He was sure the objection taken by the Middlesex magistrates to the admission of Chaplains of various denominations for the purpose of giving religious instruction to the children was one which would not meet with the concurrence of the House.

CAPE COLONY—THE KAFFIRS.

QUESTION.

MR. WARNER said, he would beg to ask the Secretary of State for the Colonies, Whether it is true, as stated in newspapers, that the Governor of the Cape Colony is pursuing a policy in regard to the Kaffirs of which the responsibility has not been assumed by the Colonial Legislature; and whether, in the event of war arising, it might not be difficult under these circumstances to enforce upon the Representative Government of the Colony its obligation to bear the whole burden of internal defence?

MR. CARDWELL said, he apprehended that the policy to which the hon. Member referred related to the Trans-Kei territory. The Governor had made a proposal to give to the Kaffirs who were disposed to settle there an eligible settlement; but that was not a policy which, in his opinion, was calculated to promote a Kaffir war within the colony. On the contrary, it was a policy which the Governor carried into effect upon his own responsibility under instructions received from home; and he was sorry to say that the assumption which the hon. Member's question appeared to convey was not warranted by the facts, as the responsibility of defending the colony had always rested upon this country, only a small contribution being made by the colony.

BRITISH NORTH AMERICA—THE RED RIVER TERRITORY.—QUESTION.

SIR EDWARD GROGAN said, he would beg to ask the Secretary of State for the Colonies, If any, and what steps have been taken by the Government, since the Report of the Select Committee was presented to this House, for opening up the Red River districts and the valley of the Saskatchewan to settlement under the Crown, and putting an end to the exclusive privileges heretofore claimed by the Hudson's Bay Company in these districts; and if the claim of ownership put forward by the Hudson's Bay Company in the territory lying between Canada and British America, being about two-thirds of our possessions on that continent, be admitted by the Government as well founded; and, if so, on what grounds?

Mr. CARDWELL said, in reply, that measures had been taken by every succeeding Secretary of State, first by Lord Taunton, when Secretary of State for the Colonies, who proposed that the Question between the Hudson's Bay Company and Canada, with regard to the western boundary, should be settled by an appeal to the Privy Council; then by the right hon. Baronet opposite (Sir Bulwer Lytton), under the administration of Lord Derby, who finding that Canada disputed the claim of the Hudson's Bay Company to their territory, recommended Canada to try the matter by legal proceedings; then by the late Duke of Newcastle, who entered into negotiations with the Hudson's Bay Company, to establish a Crown Colony in that region; and, finally by himself, who, reverting to the opinion of the Committee of 1857, entered into communications with Canada, hoping to induce them, as the Committee had recommended, to undertake the government and settlement of that territory. With regard to the rights of property in that territory, former Governments, acting under the advice of their Law Officers, held that Her Majesty's Government could not honourably dispute the rights of the Hudson's Bay Company, under their Charter. He had not himself referred the question to the present Law Officers of the Crown, but he had no reason to suppose that they would differ in opinion from their predecessors.

ST. GEORGE'S-IN-THE-EAST.

EXPLANATION.

Mr. STANILAND said, he wished to make an explanation with reference to some observations that fell from him on Tuesday evening. In speaking of the disturbances which had taken place in St. George's-in-the-East, he had stated that the Rev. Bryan King had joined the communion of the Church of Rome, whereas it was the Rev. Mr. Brown, at one time curate of St. George's, who had been admitted into the Roman Catholic Church by Dr. Manning. He had received a temperate letter from Mr. King on the subject, correcting the statement, and he (Mr. Staniland) begged to take the earliest opportunity of correcting the mistake, and of expressing his regret at it, and for whatever pain it might have occasioned.

CONSTABULARY FORCE (IRELAND) ACT AMENDMENT BILL—[Bill 122.]

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. W. ORMSBY GORE said, that in 1846 the late Sir Robert Peel, with that spirit of liberality and generosity which characterized his conduct with reference to Ireland, and which had in a great measure been inherited by the right hon. Baronet who bore his name, had introduced a Bill on this subject, which was followed by another in 1848, and another in 1857. The Devon Commission of 1844 recommended that the Irish constabulary should be treated as a national force, and thrown upon the Consolidated Fund. If the reasons advanced by the Commission were good in that year for such a course, they were doubly so at the present time. He also complained of the unfair manner in which the force was distributed in the different counties, and especially in Leitrim, where the proportion was inadequate to the wants of the county. Various modifications had been made, the operation of which had not been beneficial. Since the Irish constabulary had been raised the Government had been able to reduce the number of troops in Ireland from 21,251 in 1844 to very little more than half that force. He maintained that this ought to be treated as a national question. The police, besides enabling the Government to reduce the military force, were also discharging the duties of the revenue police, a force altogether disbanded, thus saving the nation a large annual payment. Believing, as he did, that the Government ought to pay for the maintenance of a force which discharged so many important State duties, he had no hesitation in moving that the Bill should be referred to a Select Committee.

Mr. BRADY seconded the Motion, and said that great injustice had been done under the Bill of 1857. He directed attention to the present unsatisfactory distribution of the police force throughout many of the counties in Ireland, particularly in that which he had the honour to represent (Leitrim), where, though a heavy police rate was paid, the number of the police was below what it was in other counties of less area, and containing a less numerous population. He considered that the whole police force of Ireland ought to be re-distributed. When the Irish constabulary were first introduced they corresponded to the police force in England. If they had continued to perform the same offices he should not complain, but the fact was that they constituted a second army in Ireland, and a standing army ought to be paid out of the Consolidated Fund. He should give the Bill his strenuous opposition.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. William Ormsby Gore,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. DAWSON said, he wished to ask his right hon. Friend (Sir Robert Peel) what the object of this Bill was—whether it was intended to supply an extra police force to the town of Belfast, or whether he intended to effect a re-distribution of the whole constabulary force throughout the whole of Ireland? If the latter he believed it would lead to a great deal of dissatisfaction. He also desired to know whether it was intended to empower the Lord Lieutenant every five years to effect a re-distribution of the police force over the country. If so, he thought that such an arrangement would be most unfortunate. It would be seen by the schedule that the police force of the county of Londonderry consisted only of 120 men, being the smallest number in proportion to the population of any county in Ireland. It had a population of 184,209 and an acreage of 522,800, whilst the county of Kilkenny, with a population of 99,940 had a force of 220 men. There were seven other counties, each of which had a population of 100,000, but in which the number of police was more than in the county of Londonderry. The resident magistrate had complained of the insufficiency of the police force in the city of Derry. His chief object in rising was to draw attention to the remarkable fact in respect to the county of Londonderry that no execution had taken place in it for more than 100 years—the last having taken place in the year 1745, and he had the authority of the late Chief Justice Doherty that within that time there had been executions in every other county in England, Scotland, Wales, and Ireland. He had no intention of voting with his hon. Friend who had moved the Amendment, but in justice to the county with which he was connected, he thought it necessary to make these few remarks.

Lord JOHN BROWNE said, he hoped that the House would not refer the Bill to a Select Committee, either of fifteen Members or of five, as proposed by the hon. and learned Member for Belfast (Sir Hugh Cairns). The only question which such a Committee would have to decide would be the number of police which was to be allotted to each county, and that was a matter which could be much better determined by the executive Government, who, having regard to the extent of each county, its population, the facilities afforded for illicit distillation, and any exceptional circumstances which might affect it, would decide how many men were required to maintain law and order within its boundaries. Every county seemed to be anxious to have as many as possible. ["No, no!"] Well, then, if they desired to reduce the number, he had no doubt that his right hon. Friend would be delighted to meet their wishes. If a satisfactory distribution of the police force was to be carried out, the Government must disregard both the original schedule and that which had been originally placed in this Bill. The original schedule was fixed in 1848, a period of considerable political excitement; and it was necessary at that time to concentrate large bodies of police in certain counties, in which the tendency to sedition was greatest. One of the most important duties which the police had to discharge was the suppression of illicit distillation, and it was a remarkable fact that in the counties of Mayo and Donegal, which had the smallest number of police in proportion to their size, there were almost as many offences against the Excise Laws as in all the other counties in Ireland.

Sir ROBERT PEEL said, he trusted that the House would allow him to proceed with the Bill without further discussion, which in his opinion could not produce any good result. With respect to the observations of the hon. Member for Leitrim, there was no doubt that the force in Leitrim was diminished from the Parliamentary quota allowed by the Bill of the right hon. Member for Kerry. Leitrim, with a population of 144,740 inhabitants, had a Parliamentary quota of

271. Sligo, with 124,845 inhabitants, had a Parliamentary quota of 201. Monaghan, with 126,482 inhabitants, had a Parliamentary quota of 175. Fermanagh, with a population of 105,768 inhabitants, had a Parliamentary quota of 181. In the three latter cases there was a smaller Parliamentary quota than in Leitrim. He therefore thought that his hon. Friend had made out no case. In the Amendment which he had put on the paper he had revised the schedule to the original Bill and left it blank, leaving it to the Lord Lieutenant to alter the schedule and Parliamentry quota as he might think fit, and as circumstances might occur. The Lord Lieutenant would still have the power when the five years elapsed of increasing the Parliamentary quota in the county of Leitrim or any other county if he should think it desirable to do so. And supposing it was deemed necessary that a larger quota should be given to the county of Leitrim, the Government would offer no opposition. With regard to the county of Londonderry it was rather a compliment to it that peace and order were so well preserved, and that it required so small a number of police to maintain tranquillity therein. He did not think the county of Leitrim had any case to justify its demand for the postponement of this Bill. It was of the utmost importance that it should pass without further delay. His hon. Friend the Member for Londonderry (Mr. Dawson) asked him what the object of the Bill was. Now every one knew that the object of the Bill was to apply a remedy to a state of things that had existed for many years in Belfast to the disgrace of that town, and to the discredit of the whole of Ireland. It would be shown by the blue-books on the subject that in Belfast only four men in the whole police force, amounting to upwards of 100 men, were Roman Catholics. In the municipal council of that town there was only one Roman Catholic. He therefore thought that those who were interested in the preservation of law and order should support him in his endeavour to put an end to such a state of things and to a renewal of those riots which occurred last year resulting in thirteen or fourteen deaths, and upwards of 100 maimed. A Commission of Inquiry was sent down there, and the present Bill had been founded on their Report. The Government treated Belfast with much consideration, but he was determined, as long as he held office, to press on this Bill, because he was convinced that if they allowed July to come round again without some such measure being enacted, they would have a repetition of those scandalous and disgraceful disturbances which had held Belfast in a state of riot for a period of eighteen days. Several gentlemen of authority of the city of Belfast actually waited upon the Government and requested them not only to abolish the local police force but to proclaim a state of siege in the town of Belfast. He was convinced that this Bill would attain, in a moderate and constitutional manner, all that was desirable. He therefore trusted that his hon. and learned Friend opposite (Sir Hugh Cairns), who he saw was about to do so, would forego addressing the House in this stage, because he (Sir Robert Peel) would have no opportunity of answering him.

Sir HUGH CAIRNS said, the right hon. Baronet had observed that he hoped that he (Sir Hugh Cairns) would not address the House at the present stage of the Bill in order that it might at once go into Committee. He (Sir Hugh Cairns) came down to the House in conformity with the notice standing in his name to move to refer the Bill to a Select Committee, but not with any intention to trouble the House with that Motion, because since the Bill had been laid upon the table, the right hon. Gentleman had given notice of Amendments which had considerably modified his objections to the Bill. He could assure his right hon. Friend that he had no intention to offer any objections to his Motion. He had merely risen to express his surprise that on a Motion for going into Committee upon the Bill his right hon. Friend should have gone into questions of an exciting and irritating kind.

Sir ROBERT PEEL: I beg pardon. I was asked by my hon. Friend the Member for Londonderry (Mr. Dawson) what the object of the Bill was.

Sir HUGH CAIRNS: The right hon. Gentleman, without the slightest provocation or cause, had gone into questions of a most debateable kind, and, having done so, he said he trusted that no one would answer his statements. He thought that the right hon. Gentleman had not read the Report, because he stated that the authorities of Belfast had petitioned the Government to abolish the local police force, and to proclaim the city of Belfast in a state of siege and martial law. Now he (Sir Hugh Cairns) gave his most unqualified denial to that statement. There was not a word in the Report to justify such an assertion.

Sir ROBERT PEEL: I beg the hon. and learned Gentleman's pardon. He knows as well as I do that the Government had received a deputation from Belfast during the existence of the riots, asking the Government to proclaim martial law in the town of Belfast.

Sir HUGH CAIRNS: A deputation! Who were the authorities of the town of Belfast who had joined in that deputation? He challenged the right hon. Gentleman to mention one. What was the meaning of the right hon. Gentleman rising in his place and telling the House that the authorities of Belfast requested the Government to abolish the local force and to proclaim martial law? No doubt some twenty or thirty persons sent a petition to the Government. He did not impugn their respectability. They waited upon the Government asking, what he ventured to think was an exceedingly foolish request—namely, that martial law should be proclaimed, and that the local force should be abolished. There was not one magistrate or member of the corporation among them. The right hon. Gentleman also said that if July came without such a Bill as that being passed, there would be a renewal of the riots. Now the riots did not take place in Belfast upon the July anniversary, nor in connection with that anniversary, as the right hon. Gentleman would lead the House to suppose. He therefore trusted that no such statements would again be made. He was willing that the Bill should go into Committee, believing that many of the Amendments of the right hon. Gentleman were excellent. He should not certainly take upon himself the responsibility of delaying this measure, as he was willing to give the Government credit for wishing to maintain peace and good order in Belfast as in every other part of the United Kingdom. So far from throwing an obstacle in the way of this Bill, he would give the right hon. Gentleman his cordial assistance in rendering it as effective as possible.

Mr. W. ORMSBY GORE said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

On Motion that the Preamble be *postponed,*

Sir Hugh Cairns

Sir ROBERT PEEL said, as the Bill originally stood there was a schedule attached to it which allotted to Belfast 130 men as the Parliamentary quota. Upon consideration he thought it better to omit that schedule and to insert a new clause in substitution of Clause 3, in which it was provided that the Lord Lieutenant should have the power of altering the distribution of the Parliamentary quota as enacted by the Bill of 1857. In addition to that the Government proposed to increase the total number of the force to 450—that was to say, 320 men in addition to the 130, which would be paid for as in other counties as an extra force—half from the county and half from the Consolidated Fund. The hon. and learned Gentleman (Sir Hugh Cairns) had an Amendment on the paper, proposing to reduce the number of the force to 400; but considering that it would have to do the night watching, he thought the number named in the Bill was more expedient. However, if the Committee were of a different opinion, he should have no objection to the change. There would be three sub-Inspectors and one Inspector, who would have supreme authority over the force. In fact, he would have very much the same powers as a county inspector. Belfast was situated part in the county of Down and part in the county of Antrim, and it was proposed for the purposes of this Bill only, that Belfast should be a county of itself, and support its own force, like Limerick, Galway, Londonderry, and several other large towns in Ireland. He should move the omission of Clause 10, because he did not think it would be just for the Government to give superannuation to the police of Belfast when the local force were not entitled to superannuation out of the borough fund. The Belfast police force would be paid out of the borough fund, and the municipal authorities would be bound to provide sufficient means for carrying on the additional force required to strengthen the Parliamentary quota of the borough.

Lord NAAS said, he wished to ask, as it was proposed to omit Clause 3 from the Bill, what would be its effect upon the clause in the Act of 1857 which provided that every five years there should be a general re-distribution of the constabulary over the country—whether it would have the effect of leaving it in the power of the executive Government to vary from time to time the numbers of the constabulary in different counties in Ireland, or whether the variation now proposed was only for the present, and then the force to be still subject to the five years' re-distribution by the Act of 1857. He entertained a strong opinion that the mode of re-distribution laid down by the Act of 1857 was a good one, and should be adhered to, and as it was fully discussed in 1857, he hoped it was not intended to re-open the Question in considering this Bill.

SIR HERVEY BRUCE said, he should not have taken part in the discussion, but for the observation of the right hon. Baronet (Sir Robert Peel) in which he had entirely, he would not say intentionally, misrepresented what he (Sir Hervey Bruce) stated on a former occasion. He corrected the right hon. Baronet on a former occasion, and he thought the right hon. Baronet might have accepted his denial, and not have repeated it. He denied that he ever stated that Coleraine was such a disorderly and demoralized place that it required an additional police force. It was discourteous on the part of the right hon. Baronet to make the statement. There was no justification whatever for his assertion.

MR. LANIGAN said, that as the extra police force was paid out of the local rates, it was desirable to get rid of them as soon as possible. They could now spare 300 from Tipperary, and he thought the best thing would be to transfer them to Belfast.

In answer to Lord NAAS,

SIR ROBERT PEEL said, it was proposed to re-distribute the men in the constabulary as laid down in the schedule of the Act of 1857 for the purpose of this Act only; and when the five years expired, it would then be for the Lord Lieutenant to arrange the distribution according to the enactments in force. The proposed distribution was for the purpose of giving to Belfast its proper quota. With regard to the observations of the hon. Baronet the Member for Coleraine (Sir Hervey Bruce), he begged to assure him that he did not in any way mean to offend him by what he (Sir Robert Peel) had said. With regard to what had been said by the hon. Member for Cashel (Mr. Lanigan), it was no doubt true that Tipperary had too many police, for there was probably not another part of Ireland where there were so many police in proportion to the population as in Tipperary. Tipperary, he was happy to say, was now as tranquil as any part of Ireland. The police force was sent there on a requisition from the magistrates, and if the hon. Member would induce the magistrates to memorialize the Government, the latter would be too happy to accept the recommendation and withdraw them. It was no doubt a great hardship for the inhabitants to have to pay £5,000 a year for extra policemen, but they imposed it on themselves. Without a memorial, the Government was powerless to remove the extra force.

MR. BAGWELL said, that under the 11 & 12 *Vict.*, the Government had power to withdraw the extra force when they thought fit. There was a difficulty in bringing the magistrates to memorialize, for some of them thought it a good thing to have a police barrack near them and one gentleman would not vote against another. If the Government were satisfied of the peaceful state of Tipperary, it was their duty to withdraw the force, or, if they thought they had not the power, they ought to accept the clause which was proposed by the hon. Member (Mr. Lanigan) with a view to give them the power. The police in Tipperary had very little to do, so little that they could not do that little. They had no escort or parade duties, nothing except to amuse themselves, which they did by sitting still and smoking their pipes.

Motion *agreed to.*

Clause 1 (Present Police Force shall cease to exist.)

SIR HUGH CAIRNS moved the following addition to the clause:—

> "And that the constabulary force of the town of Belfast shall have and discharge all the powers and duties which now lawfully have to be discharged by the police force of the town."

SIR ROBERT PEEL said, he thought the Amendment unnecessary. The constabulary would discharge all the duties in Belfast which they performed in Cork and all other towns under the Constabulary Act. The Amendment might have an operation which did not appear at first sight, and might embarrass the action of the constabulary.

SIR HUGH CAIRNS said, it was necessary that the addition should be made to the clause. Sir Henry Brownrigg, the Inspector General of the Constabulary, had stated in 1861, on an application by the corporation, that in the opinion of the Law Officers of the Crown the constabulary could not enforce the bye laws of the corporation, and could only discharge the duties imposed under the Constabulary Acts. Now, in Belfast there were a number of local Acts, and without such an Amendment as that he now proposed the constabulary would not be able to enforce the bye-laws of the corporation, some of which imposed penalties. The local force was to be abolished, and it was necessary to insert this provision.

Sir ROBERT PEEL said, he had no objection to the Amendment—though he thought it superfluous—if it was the wish of the Committee that it should be added to the clause.

Amendment *agreed to.*

Clause *added* to the Bill.

Clause 2 *agreed to.*

Clause 3 (Distribution of Constabulary.)

Sir ROBERT PEEL moved to leave out Clause 3, and insert the following clause:—

(Alteration in the distribution of the Constabulary Force in Ireland.)

"Whereas it is expedient to alter the distribution of the Constabulary Force in Ireland, and to allot to the town of Belfast a proportion thereof, Be it therefore Enacted, 'That it shall be lawful for the Lord Lieutenant, with the advice of Her Majesty's Privy Council in Ireland, anything in an Act of the twentieth and twenty-first years of Her Majesty, chapter seventeen, to the contrary notwithstanding, to alter or vary the number of constables and sub-constables for each county, city, or town, specified in the Schedule to that Act, and to include the town of Belfast in the said Schedule: Provided always, That the total number of constables and sub-constables to be distributed shall not exceed the number fixed by the said recited Act, and that the number allotted to the town of Belfast shall not be less than one hundred and thirty constables and sub-constables."

Colonel FRENCH said, he hoped that the right hon. Baronet would explain the rules which would guide the distribution of the constabulary force under the new clause. There were certain districts which were satisfied with very few policemen when they had to pay for them, but which, now that the expense was borne by the Consolidated Fund, wanted every man that could be had.

Mr. W. ORMSBY GORE said, the clause it was intended to substitute would give great powers to the Lord Lieutenant and the Chief Secretary for Ireland, and so long as they discharged their duties fairly and impartially, there would be nothing to fear; but it was said a great deal of backstairs influence prevailed in Dublin Castle. If they could have any guarantee that the clause would be fairly worked, it would be desirable for the Committee to agree to it.

Lord NAAS said, if the clause was left out the representatives of Ireland would not know what the distribution of the police was to be. He should like to know the exact reason for striking out the clause.

Sir ROBERT PEEL said, that after consultation with the corporation of Belfast it was thought desirable to state the number of men to be employed. The Government did not intend to take away any constabulary from any county which was paying for extra men. There was no desire whatever to do anything underhand.

Clause 3 *negatived,* and the above Clause *agreed to.*

Clause 4 (Increase and Reduction of Numbers of Constabulary by Lord Lieutenant.)

Sir ROBERT PEEL proposed the following Amendment.

Amendment proposed,

In page 2, line 26, to leave out from the word "Force" to the end of the Clause, in order to add the words "which shall be allotted to the town of Belfast under the provisions of this Act, any number of men, not exceeding three hundred and twenty, which the Lord Lieutenant may think fit to provide for the more effectual preservation of the peace of the said town, and such additional number of men, together with the one hundred and thirty hereinbefore mentioned, shall constitute the ordinary Constabulary Force of the said town." —(*Sir Robert Peel.*)

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Question proposed, "That those words be there added."

Sir HUGH CAIRNS said, the ordinary police force of Belfast consisted of 160 local men and 65 members of the constabulary—225 in all. The proposition of the right hon. Baronet would raise the force to a number not exceeding 450—namely, 120 absolutely appointed to the town, and a number not exceeding 320 which the Lord Lieutenant would be authorized to send. The Amendment did not make it compulsory on the Lord Lieutenant to send 320, but it was competent for him to do so. Now, as the appointment of this force would affect the financial arrangements of the corporation, it was necessary to know the precise number of men of whom the force was to consist, because the corporation had to pay half the expense of the extra men. It was true the Commissioners suggested that there should be power to send 120 men, but they had scarcely weighed sufficiently the evidence laid before them. Nothing could be clearer than that according to the evidence the maximum force should be 400, which was an enormous increase as compared with the present number of 225 men. Inspector Hervey, of the constabulary, had given his decided opinion that 400 men would be amply sufficient to discharge all the duties both night and day, provided certain regulations were slightly modified. He (Sir Hugh Cairns) had gone carefully through the whole of the very voluminous evidence which was taken by the Commissioners, and there was not a single witness, with the exception of Mr. O'Donnell, a stipendiary magistrate, who put the number above 400. He was willing to take the 400 which Inspector Hervey, upon whose evidence the whole scheme was recommended, and that was a much larger force in proportion to the population than there was at Birmingham, Leeds, Manchester, Glasgow, or Edinburgh. In some of these towns there was but one policeman to 831 inhabitants, in others but one to 790, while in Belfast there would be one to every 350. The hon. and learned Gentleman then moved that the words "Three hundred and twenty" be struck out of the clause, and the words "Two hundred and seventy" be inserted in their stead.

Amendment proposed to the said proposed Amendment, in line 3, to leave out the words "three hundred and twenty," in order to insert the words "two hundred and seventy."—(*Sir Hugh Cairns.*)

SIR ROBERT PEEL said, that his proposal would cause a great saving in the local police expenditure of Belfast. At page 10 of the evidence the hon. and learned Gentleman would find recommendations that the police force should be from 400 to 500 for Belfast. He hoped the Committee would adopt his proposal of making the maximum number 450, and that the hon. and learned Gentleman would not persist with his Amendment. If, however, the Committee were of opinion that the number should be 400, and not 450, as he had no very strong feeling on the point, he would give way.

MR. BRADY said, he thought that the people of Belfast ought to be satisfied with the proposal of the right hon. Baronet (Sir Robert Peel), as it would reduce the cost of their police.

SIR HUGH CAIRNS said, he doubted whether there would be any saving if the proposal of the right hon. Baronet were adopted, for the superannuations to which it would lead must be taken into account. For several years to come Belfast would have to pay a greater police rate than it had hitherto paid, as compared with Cork. He contended that Belfast ought to have a larger police force than even that which was now proposed.

MR. ESMONDE said, he thought that in the interest of the men themselves the number should be ample, as the night duty especially was very trying.

LORD NAAS said, that all the witnesses examined were of opinion that 400 would do the work perfectly, including night duty. If 400 were ample, they ought to fix that number now definitely that the people might know the strength of their police force.

SIR PATRICK O'BRIEN said, he hoped the right hon. Baronet (Sir Robert Peel) would persevere in his intention to give effect to the spirit and scope of the recommendations of the Commissioners, so that any future attempt at disturbance might be at once quelled.

SIR HUGH CAIRNS said, it was idle to talk of the number of police necessary to quell a riot when it once got to a head. Four hundred and fifty would be just as ineffective for that object as 400. The question was—what is to be the ordinary police force? He trusted that the right hon. Baronet would adhere to the evidence of his own officer of constabulary, who said that 400 were amply sufficient.

MR. HENLEY said, he wished to inquire the proportion the 450 men proposed bore to the total population of the town.

SIR HUGH CAIRNS said, that the proportion would be one policeman to every 350 of the population.

MR. HENLEY said, he thought the proportion extraordinarily large. In London the proportion was one constable to every 500 of the population.

Question put, "That the words 'three hundred and twenty' stand part of the said proposed Amendment."

The Committee *divided:*—Ayes 82; Noes 61: Majority 21.

Clause *added* to the Bill.

Clauses 5 and 6 *agreed to.*

Clause 7 (Provision as to Officers of the Constabulary Force in Belfast, and their Salaries.)

In reply to Lord NAAS,

SIR ROBERT PEEL said, it was intended to send a person to Belfast who would hold the office of Inspector of Constabulary, but that he would not necessarily be one of the county Inspectors. He would be paid entirely out of the local rates of Belfast.

SIR HUGH CAIRNS said, he had been authorized by the corporation of Belfast to propose, as an Amendment, that the salary of the Inspector should be £500 instead of £400 a year.

Sir ROBERT PEEL said, he thought the lesser sum quite sufficient, the more especially considering that the salaries of the stipendiary magistrates had been reduced. He could not understand the object of the hon. and learned Gentleman's liberality.

Sir HUGH CAIRNS said, he had moved the Amendment with the view of securing the services of a competent person; but if the Government thought they could obtain the services of such a man as was recommended by the Commissioners in their Report, for £400 a year—at which he would be very much surprised — he should most gladly withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 8 (Extra Remuneration for Night Duty.)

Lord NAAS said, there was a question whether the constabulary were bound to perform night duty in towns or not, and the proposal in the clause, which seemed to recognize that the constabulary were not so bound, seemed to him very objectionable. In some towns of Ireland a large amount of property was nightly exposed to depredation, the constabulary making no effort to protect it, and the consequence was that private watchmen had to be appointed at considerable expense. This was undesirable, and he suggested that this 6*d.* per night should be added to the general pay of the force, so as to avoid establishing a distinction between night duties and the general duties of the constabulary.

Sir HUGH CAIRNS moved, as an Amendment, the addition of words limiting the payment of 6*d.* to men who performed the duty of watching during the whole of the night watch.

Sir ROBERT PEEL said, it was proposed to tell off a certain number of men every day for night watching, and these men would receive 6*d.* a night. It was not intended that they should receive the money without performing the whole duty.

Sir HUGH CAIRNS said, that whatever might be the intention of the right hon. Baronet, the words of the clause would authorize this payment to the constabulary if they were on duty for any portion of the night. He did not see why the right hon. Baronet should adhere to the words of this clause if he could give no reason against the adoption of the Amendment. He hoped the Committee would see the necessity of the Amendment.

Sir GEORGE GREY said, he was willing to postpone the clause.

Sir HUGH CAIRNS said, he was anxious that the 6*d.* should be paid for the whole *bonâ fide* night watch. Perhaps the maximum number of men to receive it might be fixed.

Sir GEORGE GREY said, he thought it might be better to consider whether any additional words were required in the clause.

Lord NAAS said, that as the clause now stood the whole of the constabulary might be paid this 6*d.* per night.

Mr. BAGWELL said, that Clonmel was practically unprotected during the night.

Sir HUGH CAIRNS said, that he hoped there would be no mistake, and that it was to be understood that the Government took upon itself the responsibility that the whole duties of the night watch should be efficiently discharged by the constabulary. With this understanding he was willing to accept the proposal of the Home Secretary that the point should be reserved for consideration.

Lord NAAS said, that perhaps it would be better to postpone the clause and bring up a new one on the Report.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 9 (Superannuation, &c., of Constabulary.)

Sir COLMAN O'LOGHLEN said, he wished to ask if it were intended to superannuate all the police in Belfast. Were any of them to be drafted into the general police force. It was objectionable to give compensation to such of them as were young men and fit for duty, and to charge such compensation on the local funds of Belfast.

Sir HUGH CAIRNS agreed that it was very hard the town should be burdened with providing compensation for a body of men many of whom were in the prime of life, and were willing to enter the constabulary force. It appeared that all these men, with the exception of fifteen, were under forty years of age. It also appeared that the objection to receive them into the constabulary was that a number of them were married, and that the constabulary only admitted a certain proportion of married men. He thought that if these men were willing to go and live in barracks, the fact of their being married men ought not, under the circumstances, to prevent their admission into the constabulary. It might be said that the clause only permitted the Town Council of Belfast to grant superannuations, and did not compel them to do so. It was not likely, however, that the Town Council would turn off these men without some superannuation or allowance. The Commissioners advised that these men should be taken into the constabulary. He moved to add to the clause the following words:—

"Provided always, that, notwithstanding any regulation in respect of the appointment of constables to the constabulary force in Ireland, the Inspector General of the constabulary force in Ireland shall appoint to be constable in the last-mentioned force any constable of the said local police force whose age does not exceed forty years, and to whose conduct and character no fair objection can be made."

Lord JOHN BROWNE said, he would support such an addition. It was stated that there was a difficulty in filling up the constabulary force to the proper number, and if so that was an additional reason for filling up the deficiency by appointing these men.

Sir ROBERT PEEL said, that many of these men were married, and the difficulty was that if they were sent to barracks in different parts of the country there would be no accommodation for their wives and families. Of course those who were eligible would enter the constabulary force if they pleased. Until within the last year or so there had been no superannuations of the police out of the borough rates of Belfast.

Sir GEORGE GREY said, he was of opinion that if the hon. and learned Gentleman read the Amendment again he would hardly think it right to press it. Many of the members of the local force might be unfit for the general constabulary in consequence of their want of sufficient height or sufficient strength. At all events, it was obvious that the matter could not be disposed of now, and without notice.

Major O'REILLY said, the Committee would probably agree in the opinion that it was advisable in such cases to pursue the ordinary course and give due notice of Amendments. He agreed in the spirit of the Amendment, which was, that all eligible men of the Belfast local police force should be taken into the general constabulary of Ireland, so that they might not be left with a claim for compensation for the remainder of their lives. He would suggest the insertion of the word "may" instead of "shall" in the Amendment, as some difficulty might be found in dealing with the cases of married men.

Sir HUGH CAIRNS said, he was willing to adopt the word "may" instead of "shall."

Mr. ESMONDE said, he was of opinion that the clause would not work. A "constable" was equivalent to a sergeant in the line, and it was proposed by this clause to enlist the privates in the local force as "constables" into the constabulary.

Sir ROBERT PEEL said, by the Amendment as it now stood the Inspector General would be authorized or obliged to place the men who were to be re-enlisted in "the last-mentioned force;" but that was the Belfast force.

Lord NAAS said, it referred to the constabulary force in Ireland.

Sir GEORGE GREY said, he was exactly under the same impression as his right hon. Friend (Sir Robert Peel), and that showed the necessity of giving notice of Amendments.

Amendment *negatived.*

Clause *agreed to.*

Clause 10 *struck out.*

Remaining clauses *agreed to.*

Mr. LANIGAN said, that in consequence of 300 additional constabulary being sent to the county of Tipperary several years back, the ratepayers had paid for their maintenance since then £90,000 and upward. It appeared that the Government had no power to withdraw that additional force unless memorialized so to do by the magistrates, and he therefore proposed the following new clause to give the power to the Government:—

"Whereas by the Act of 11 & 12 *Vict.* c. 72, s. 5, it is enacted that in all cases where an additional constabulary force shall have been certified by the magistrates of any county at large at any general or special sessions as now by law provided to be necessary for the due execution of the law within such county, and shall be appointed in conformity with such certificate, from and after the passing of this Act, it shall be lawful for the lord-lieutenant or other chief governor or governors to remove such additional police force whenever the said lord-lieutenant or chief governor or governors shall consider such additional force no longer necessary for the due preservation of the peace in such county."

Mr. BRADY seconded the Motion.

Colonel FRENCH said, he thought that the proper persons to express an opinion on the subject were the magistrates, and the Lord Lieutenant in Dublin might not be so well able to judge of the expediency of retaining or withdrawing the additional police. The clause appeared to be a mere recital.

Sir ROBERT PEEL said, he thought the enactment of such a clause would be most objectionable. He admitted, however, the grievance to a particular county, as that of Tipperary, of being burdened with a large force when the circumstances which had required its presence had passed away. The Government, however, would consider the matter with a view to providing a remedy for the evil complained of. He thought that where an additional force had been sent to a county on the requisition of the magistrates they should not be removed without their consent.

Mr. BAGWELL said, he thought it extraordinary that when the grievance was acknowledged the right hon. Gentleman should oppose the simple means proposed of remedying it. The clause only gave the Lord Lieutenant power to remove men from any county where they were no longer wanted.

Mr. BRADY said, he coincided with the hon. Members for Cashel and Clonmel (Mr. Lanigan and Mr. Bagwell) in the necessity of this clause, as he knew from experience the existence of the grievance it was proposed to remedy. The case was this. A certain number of agents who were, perhaps, magistrates, made themselves so disagreeable as to induce a consciousness of their own personal danger. They therefore called upon their brother magistrates to join them in a requisition to the Lord Lieutenant to have an extra force of police sent down to their district. The police were accordingly sent down, not for the general protection of life and property, but to calm the apprehensions and give confidence to a few individuals who had made themselves obnoxious to some of the people. Now these police were often continued in the district long after their services were needed. It therefore appeared to him to be absolutely necessary to give the power proposed by the clause to the Lord Lieutenant or local authorities to remove this burden off the particular county.

Lord JOHN BROWNE said, he did not think it desirable to insert such a clause in the Bill. It appeared to him that the police ought not to be withdrawn from any

Mr. Brady

place without the consent of the magistrates under whose authority they had been summoned. Where the magistrates were not agreed that the extra police stations were unnecessary they ought not to be abolished; but the number of men might be reduced, as had recently been done in the county of Mayo.

Mr. LANIGAN said, he would withdraw the clause.

Schedule *struck out.*

On Question that the preamble be agreed to,

Sir HUGH CAIRNS said, that he hoped the Government would consider the propriety of introducing into the constabulary force stationed in large towns and places a system for distinguishing them by numbers on their uniforms or otherwise, by which the individuals of that force could be easily identified, as in London and other places. Within the last two weeks even cases had occurred in Ireland in which complaints had been made against certain members of that force for misconduct, but in consequence of the great difference of testimony as to their identity the magistrates were in doubt how to act.

Sir ROBERT PEEL said, that the matter should be referred to the Inspector General and considered. At the same time, it was fair to remember that the police in Cork and Galway were not distinguished by numbers, and no complaints had arisen on that score.

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Thursday,* and to be *printed.* [Bill 178.]

GREENWICH HOSPITAL BILL.

[BILL 113.] SECOND READING.

Order for Second Reading read.

Lord CLARENCE PAGET said, he would ask the House, if they did not object to the principle of the Bill, to agree to its being now read a second time *pro formâ,* as several clauses would have to be re-considered with reference to the disposition of the funds of the Hospital. If the House would consent to adopt the course he proposed, the Government would present the Bill for their consideration on a future day. He would not now enter upon the details, and his hon. Friend (Mr. Childers) had already explained the principle of the measure.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Clarence Paget.*)

SIR JOHN PAKINGTON: I do not understand in what position I am placed by the proposition of the noble Lord. I am sorry my hon. Friend (Mr. Childers) is not in the House, as there are several points on which I intended to ask for explanations with regard to the intentions of the Admiralty. I do not wish unfairly to delay the Bill, but I think I had better now state the points which I regard with doubt, and on which I desire to elicit from the Government some statement of what their intentions are. There are, no doubt, faults in the management of Greenwich Hospital which call for reform, and as this Bill professes to reform them, I suppose we ought not to object to it. On one point everybody is agreed: it is that the double government of Greenwich Hospital is bad, and no doubt my hon. Friend is right in putting an end to it. Another point is the intention of the Government to diminish the number of inmates and increase the number of out-pensioners. I have no very strong opinion on that, but I believe from the inquiries I have made there is a general concurrence on the subject, and I am willing to think the proposal is right. But it appears to me that the Admiralty is mistaken as to what will be the immediate effects of their proposal. They are to reduce the number to about 600, it being now about 1,400; but I believe this, upon their own showing, cannot take place until a considerable lapse of time. The proposal is to give out-pensions to all those not absolutely infirm and physically incapable of leaving the Hospital, so that they may live with their own families. This is to be done by granting pensions of 5*d.* per day, to be raised to 9*d.* per day after seventy years of age. But at present there are money allowances—in addition to clothing, board, lodging, and all the comforts of the establishment—of 3*s.*, 4*s.*, and 5*s.* per week; and 5*d.* per day, according to Cocker, is just one penny less than the least of these sums. I have reason to believe that not more than 100—out of the 1,400 inmates—at the utmost will be willing to accede to the terms offered by the Government and become out-pensioners. The House will see that this raises an important question as to the future government of the Hospital, respecting which I am anxious to have some information from the Admiralty. I find nothing in the Bill with regard to the future government of the Hospital. I may, perhaps, be told to look at the Report of the Committee, and that it is the intention of the Government to carry out its recommendations. I cannot help thinking it would have been better to have given the mode of government a place in the Bill, because that Report, although laid upon the table of the House, has no authority and gives no power. If, however, I am to draw my information on this point from the Report, I confess it involves me in serious doubt, if it be intended to place it on the same footing as Haslar and Netley, and to make it a mere hospital in the ordinary sense of the word for sheltering sick, wounded, or disabled sailors. This magnificent establishment has always been regarded by sailors who have served their country long and with distinction as a refuge for their old age; but I understand you are to have no Governor. That office, which has been so long an object of ambition to our naval heroes, is to be superseded by a captain superintendent with a staff. I confess that I regard this part of the scheme with very great doubt, and I should be glad to hear that the future government of the institution will be on a scale more consonant with what Greenwich Hospital has hitherto been. Another point on which I wish for information is the intention of the Government with regard to naval officers. My hon. Friend the Member for Wakefield says the Hospital was not intended for naval officers, and that naval officers ought not to be there. I cannot subscribe to that doctrine. I cannot conceive that by the words used in the charters naval officers are excluded; but if it were so, I think by long prescription and long usage officers have a right to a place in Greenwich Hospital. I, for one, should deprecate any change which would deprive such a deserving class of men of the benefits of the establishment. The Bill on this point does not disclose the intentions of Government. [Lord CLARENCE PAGET: Look at Clause 5.] Yes; Clause 5 says that it shall be lawful for Her Majesty in Council to appoint and grant such pensions as she shall think fit to naval officers, &c., but Her Majesty had that power before, and the clause leaves the House in complete ignorance as to the intentions of the Admiralty on this subject. The Report of the Committee, however, proposes to add to the number of pensions seventy-eight additional ones of £50, £65, and £80, according to circumstances, and to flag officers £150 a year, as compensation for the rights which are to be abolished. It is a serious question whether the officers of the Royal Navy will consider that a satisfactory substitute for Greenwich Hospital. But if this plan is to be adopted and pensions substituted, I beg to remind the Admiralty that they have made a serious omission by leaving out all mention of the surgeons, and an important and growing class of naval officers, the engineers. So far as the plan of management of the property of the Hospital is revealed by the Bill, it appears to have been framed on the principle — "open your mouth, and shut your eyes, and see what the Admiralty will give you." The Bill appeals everywhere to a degree of confidence in the Admiralty, which I am afraid this House has always been slow to entertain. I believe there is a necessity for reform, but it appears to me from this Bill as if the Admiralty had set to work heedlessly to alter everything; and with one single exception—that of a want of audit of accounts and a sufficient check on the management—I am inclined to believe the management now is better than that which is proposed to take its place. It is now managed by Commissioners; but those Commissioners cannot take any important step without consent of the Board of Admiralty. This Bill sweeps away Commissioners, Admirals, and Governors, and leaves nothing and nobody but a captain superintendent, who is to be an officer of the Admiralty under their control, and liable to be discharged at any moment. If that proposition be carried out, either the property will be administered by an irresponsible officer, or the whole management will be thrown into the hands of the Board of Admiralty, which is already overwhelmed with work. It would have been much better to have appointed a body of independent Commissioners acting under patent from the Crown, but subject to the check of the Admiralty; and I must confess that the sketch of government made by Sir Richard Bromley, at the request of the Duke of Somerset, was much better. I wish also to express some doubts as to Clause 20, which provides that the cost of managing the Schools and Hospital shall be defrayed out of the sums voted by Parliament for that purpose. Reading the words of the Bill with those in the Report of the Commission, I find that the expenditure of the Hospital is to be included every year in the Navy Estimates; that the amount of that expenditure is to be voted out of the Consolidated Fund, and that the sum so advanced is to be repaid out of the revenues of the Hospital Estates. What possible reason can there be for this confusion of the expenditure of the Hospital with that of the navy? The first duty of the noble Lord the Secretary of the Admiralty in moving the Naval Estimates will be to explain that the item under the head of "Greenwich Hospital" has no earthly connection with those Estimates. Then, again, why is this large sum to be paid in the first instance out of funds to be voted by Parliament for the purpose? why cannot Greenwich Hospital, with its enormous revenue, pay its own expenses? This expenditure will increase the Navy Estimates by about £150,000 a year, and on the other side the income, about £180,000 a year, will appear—a blundering arrangement, which appears to me to be very likely to realize the fears expressed in the Minute of the Board of Admiralty of November 28, 1864, which says that—

> "On the one hand there will be a danger that property left for a special purpose will be merged into the general property of the nation, but on the other hand the expenditure will be subject to the revision of Parliament."

I quite admit that a full statement should be laid on the table of the House of the receipts and expenditure; but I feel that as the matter is now placed there is great danger of the confusion apprehended by the Board of Admiralty in 1864. I ask the House to give its serious attention to another point, and I take the first opportunity of laying it before them. The 13th clause professes to be a general clause, and it is so very general in its terms that I doubt very much if any hon. Member who reads it without being in the secret will understand what it means. It is one that does not generally find favour in this House, and the less it is resorted to the better. The clause, though the Government has not the candour to own it, is directed against one individual—namely, Sir Richard Bromley. It is not the time for me to enter into his case, because my hon. Friend the Member for Finsbury (Sir Morton Peto) has given notice of his intention to take an opportunity of bringing the treatment of Sir Richard Bromley in a specific form before the House; but I have no hesitation in saying that this clause ought not to be allowed to remain in the Bill, and I hope the Government will in good time re-consider it. Serious differences have arisen between Sir Richard Bromley, and I will not say the Admiralty, because they have acted in a fair spirit in the matter, but between Sir Richard Bromley and the Treasury. These differences have raised a question of law, not as to whether he has been treated with generosity, but whether he has been treated legally, and the object of the 13th clause is to deprive him of any remedy he may have at law for the ill-treatment he believes himself to have received. I hope, however, that hon. Members of all parties will say that nothing of the kind ought to have been introduced into the Bill. Sir Richard Bromley is an eminent public servant, and his services have been frankly and fairly acknowledged by the Admiralty and the Treasury. My belief, in common with others, is, that the arrangement which has been made is not only ungenerous and inconsistent with a due regard for his public services, but that it is at variance with the law, and that it can be upset in our courts of justice. Whether he will resort to that remedy it is not for me to say; but I submit that the House ought not to allow a clause to be introduced into this Bill which will for one moment prejudice the right which every man thinks he has of redressing any grievance by appealing to the laws of his country. I am anxious, like many others, to see this noble charity placed on a proper basis, and I hope that what I have stated will be appreciated in the spirit in which I have made it. The observations I have made have not been dictated in any party spirit, but for the benefit of those who are the recipients of the charity.

MR. AYRTON said, he had to express his gratification at the introduction of a Bill to deal with the gross abuses of Greenwich Hospital, shown to exist by the Report which was presented some time since to that House. It appeared that the number of seamen had been diminishing, while the expenses of the administration had been increasing, until at length every unfortunate seaman was condemned to suffer all the vexation and inconvenience of being in the Hospital at an expense to the charity of £60 or £70 a year, being double what he could live for in greater happiness and comfort in another place. The Government had brought in a comprehensive measure for dealing with the abuses which struck at the root of the evil, but it was so comprehensive that he wished to ask for some explanations of the measure. The Bill proposed to place the whole of the funds of the Hospital under the entire control and management of the Admiralty. They were to have the discretionary power of appropriating the income for the benefit of the officers and seamen of Her Majesty's navy. Some schemes had been laid on the table of the House, but the Admiralty, in the future administration of the affairs of the Hospital, might say that they would be guided by circumstances as they arose, and would regard those schemes as the views only of the moment. The main feature of the present scheme, it was said, was to bring back the Hospital to the original purposes for which the structure was to be appropriated—namely, a place for the reception of persons disabled in body or in mind, and not to make it a mere asylum where the men were to live under a kind of semi-naval discipline. When it was said that this great charity was to be re-constituted upon an entirely new basis, he was entitled to ask the House to consider for what purposes it was originally founded. To ascertain what those purposes were they must look to the original charter and to the Acts which were passed before the completion of the building, or certainly before the dotation of the Derwentwater estates, which formed the principal part of the landed property now vested in the Hospital. They found that in the first instance the charity was established for the benefit of seamen in Her Majesty's service, and he could not conceive by what rule of construction they applied the word seamen to officers, as was suggested by the right hon. Baronet the Member for Droitwich. Seamen alone were intended to be benefited by the first charter. [Sir JOHN PAKINGTON: Are not officers seamen?] Officers were persons who commanded seamen, and the old charter showed what were called common seamen in contradistinction to officers. The year after the charter was granted an Act of Parliament was passed, which more particularly defined the purposes of the foundation, and extended its benefits to all seamen, both of the Royal and mercantile marine. The language was of the most comprehensive character, and included mariners, seamen, watermen, fishermen, bargemen, or seafaring men, who, by any wounds or other accidents, should be disabled for future sea service, and not able to maintain themselves comfortably; and relief was also to be given to the children and widows. At that time there were no endowments and no funds for keeping up the Hospital, and a provision was made whereby a deduction of 6*d.* was made from the pay of all seamen, whether serving the Crown or in any vessel whatever belonging to any of the subjects of England or any of His Majesty's dominions, which clearly showed that the benefits of the Hospital were to be applied to seamen of every kind. In 1697 an Act was passed which showed more conclusively that every kind of seaman was to partake of the benefits of the Hospital, and it directed, in order to prevent favouritism and intrigues, that relief should be given to seamen according to their seniority of registration. So that the seamen of the commercial marine were to have the preference over the seamen of the Royal Navy if they were older on the registry. Another Act was passed in 1723, whereby power was given to the Admiralty to select persons for the benefit of the Hospital. This was in time of war, and doubtless intended to give preference to those seamen who had suffered in the war. Those Acts were all passed before the Hospital was in working and efficient order. An Act was subsequently passed which modified the practice of taking the men from the register, and it was not considered as a necessary precedent for obtaining a pension. Therefore the question arose, what were the rights of the commercial navy to a participation in the benefits of Greenwich Hospital. Between 140 and 150 years 6*d.* a month was exacted from the pay of the commercial navy towards supporting Greenwich Hospital, until from that and other sources it had accumulated a fund of £2,900,000. That sum was mainly made up from the contributions of the mercantile navy, and when the Admiralty proposed to sweep it away and place it at their own absolute disposal for the Royal Navy, it was but right that that House should inquire whether some consideration ought not to be shown to the commercial marine of the country, and he thought that a very good opportunity offered for their doing some justice to that large body of deserving men who had received but light treatment from the Admiralty. By the proposed arrangement there would be more room than would be required in Greenwich Hospital, and as that building should be kept in reserve for any future contingency he thought the Government would only be doing an act of justice to the mercantile marine if they appropriated a part of the building for the purposes of the present inadequate and inconvenient floating Hospital in the River Thames. When he considered the want of such accommodation, and that most of the sixpences were deducted from the bargemen and lightermen of the River Thames, who were always ready to serve the navy, and in time of war provided many thousands of the finest men of the navy, he thought they had a claim which ought to be somewhat respected by the Government before they appropriated in this sweeping manner the whole of the endowment for the benefit of the Royal Navy. The claims of the seamen ought to be respected when the Government were so sensitive about the claims of the officers of the navy. On what ground were these funds to be directed to the use of the officers of the navy? Why, because they had been employed in mismanaging the institution, and had received the benefit of certain salaries and allowances. Now, he thought that the most shadowy claim that could be conceived. No doubt these officers might have had some claim if they had contributed their shillings or their pounds; but they had contributed nothing whatever out of their pay. He trusted that some assurance would be given that the unoccupied portion of the Hospital would be appropriated to the use of distressed seamen, and that some part of the funds would be appropriated to the maintenance of a Hospital for the merchant seamen of the port of London.

Mr. LIDDELL said, the second reading of the Bill afforded a legitimate opportunity for making some observations on the faults of commission and omission in the Bill. He thought the observations of the hon. Member for the Tower Hamlets well deserving of consideration with respect to the claims of the merchant seamen on the funds of the Hospital, but the hon. Member had somewhat overstated the claims of that class of men. The hon. Member admitted that by the Act of 1834 a charge of £20,000 a year had been thrown on the Consolidated Fund in lieu of the seamen's sixpences, and consequently for thirty years they had not paid anything towards the Hospital. That reduced their actual money claim to very narrow dimensions. But as the present was a great scheme for the re-constitution of the Hospital, he thought it worthy of consideration whether a portion of the benefits of the Hospital might not be extended to that body of men. He might be met by the objection that there were no funds for the purpose. But if he could show that a large saving might be effected by the plan which he was about to sketch out, perhaps the House would be inclined to listen to his suggestions. There was one thing to which he entertained a strong objection. He saw in the Bill an unmistakable attempt on the part of the Treasury to escape from the responsibility and obligations imposed upon it by law, and he thought that attempt ought to be strenuously resisted. It had been said that the Bill should be read by the light of the joint Report of the Committee, the Treasury, and the Commissioners of the Hospital. Now, as there was a great principle contained in the 35th clause, he wished to point out the objection which he entertained to it. The Treasury claimed £15 per head on the whole number of men between 600, the future maximum, and 1,400, the present average of inmates—namely, 800. The sum so saved to the country would ultimately reach the very large amount of £12,000 per annum. He could not understand why the Hospital should be a loser by every man who was discouraged, and in fact precluded, from entering it. The Treasury had always maintained that the country was a gainer upon each pensioner who entered the Hospital to the full extent of any pension to which he might have been entitled from the country. But to save the amount of the pension to which the men had so become entitled at the expense of the Hospital funds was an unjust attempt at evading an obligation, and so strongly did he feel this that it was his intention to move the omission of the clause, and take the sense of the House upon it. He would next refer to a subject which was not dealt with in the Report, and respecting which he hoped he should receive a satisfactory assurance from the noble Lord. He referred to the livings in the gift of the Greenwich Hospital trustees, and as all those livings were in the division of the county which he represented, he took an especial interest in that subject. He was bound to say, without passing any reflection upon the occupants of the livings, who were exemplary men, that the principle on which they had been filled was not altogether a satisfactory one. They had hitherto been considered as places of retirement for the old chaplains in the navy. Now, he did not think that a man who had spent the best portion of his life at sea was always the most competent to perform the parochial duties of a remote district in a wild and mountainous region, cut off from that congenial society to which he had been accustomed, nor did he think such a cure an adequate reward for past services. Looking at the matter in either way, he should like to see these livings dealt with in a different manner. He thought they might be sold, and the purchase money applied to increasing the endowments, and providing a retiring fund for naval chaplains. There was one of these livings which stood on a totally different footing from the others. There were eight livings altogether in the gift of the trustees of Greenwich Hospital. Seven of them were situated in one particular district—North Tyne. Inasmuch as the estates in which those seven livings were situated had been sold to the Duke of Northumberland no moral claim strictly attached to the Admiralty as landowners in respect to them. But in regard to one of them — Alston — their position was totally different. The trustees for the time being of the Hospital were the patrons of the living; they were the impropriators of all the tithes; they were the owners of the royalties; they were the largest landed proprietors in that part of the country, and they derived an annual average income of something like £10,000 from the mines alone. They were bound, therefore, by every imaginable tie, real and moral, to supply the spiritual wants of the population, who were the creators of their wealth. The principle of local claims had been admitted by Parliament, and forced upon the Ecclesiastical Commissioners. He wished to call the attention of the House to the miserable position of the living of Alston, which place was the source of the mining wealth of the Hospital. The full income of the vicar was £191 a year, out of which he received from the Commissioners of Greenwich Hospital the large sum of £12 13*s.* 1½*d.* [Lord Clarence Paget: And his half-pay.] Out of that living two ecclesiastical districts had been carved. The Incumbent of Garrygill had a salary of £90, of which Greenwich Hospital contributed £30. The Incumbent of Nenthead had an income of £110, of which £45 was given by Greenwich Hospital, and £45 by the London Lead Company. The whole amount paid by Greenwich Hospital towards the spiritual instruction of the district was very little more than £100. He thought he had stated quite sufficient to show that the amount contributed to the living of

Alston was far below what it ought to be. That district was a lead-mining country, and the occupation was an unhealthy one to the persons employed, and as the trustees were exempt from poor rates he thought that something more might be done for a population which contributed so materially to the resources ot the Hospital. He had some time ago stated the facts to the noble Duke now at the head of the Admiralty, and trusted that due attention would be paid to the subject. He could not concur in the alarm which was felt by his right hon. Friend (Sir John Pakington) respecting this Bill. The reasons which his right hon. Friend had urged against the Bill were the main grounds on which he (Mr. Liddell) had supported it. On looking into the affairs of Greenwich Hospital, he had come to the conclusion that everything there required reform. An enormous, princely revenue had been wasted in establishment charges and unnecessary expenditure, and not for the benefit of the sailors. His desire was to see the benefits of the institution extended so as to confer the greatest amount of good upon the sailor; and although some remorse might be felt at the idea of such a noble building being cut down to the level of a mere infirmary, he believed that a liberal scale of out-pension, which would enable the men to pass their days in their native places with their families and amongst their early associations, would be preferred by them to their present magnificent but monotonous residence. On these grounds, although he reserved his right to move the rejection of the clause he had referred to in Committee, he did not intend to oppose the second reading of the Bill.

Mr. J. J. POWELL said, he thanked the right hon. Baronet opposite for having raised a discussion of the Bill on its second reading, because a most inconvenient practice prevailed of reserving such discussions until the Motion for going into Committee, by which course important discussions were often evaded. The observations which he wished to make had reference to that part of the Bill which provided how the charities of the Hospital were to be expended. He did not deny that officers were seamen, but he asked whether the word seaman, as used in the charters, or in any Act relating to the Hospital, was ever intended to include officers? No doubt, Lord Nelson and Lord Cochrane were seamen, but no one could suppose that it was ever intended to benefit them by that charter. He thought all the charter meant was that seamen incapable of further service at sea were to be entitled to the benefit of the charter. He feared that, if a different construction prevailed, pensions might be granted out of funds intended originally for common sailors, to officers as well as to common sailors, and that this charity would follow the fate of other charities—the educational charities especially — originally intended for poor men's sons—and be diverted from its original purpose to purposes for which it was never intended. If once they introduced the principle into this charity of granting pensions to officers out of funds unquestionably intended for sailors, they might depend upon it that, according to what had taken place in other charities, great abuses would be the consequence.

Admiral WALCOTT deeply regretted that the situations of Governor and Lieutenant Governor of the Hospital were to be abolished. Speaking from his own early recollections he knew that such offices were looked upon by the young men of the navy as encouragements. The offices proposed to be abolished were important to the dignity of the Hospital as an asylum, and officers of the greatest reputation and gallantry had been selected to fill them. He might, without disrespect to others, instance Admirals Lord Hood, Sir Richard Keats, Sir Thomas Hardy, and the present possessor, Sir James Gordon. A painful feeling would be excited among the inmates if men of high character were displaced and were no longer to preside over them. He did not agree with those who thought that officers were not entitled to share in the benefits of the Hospital. The Hospital was endowed in 1694 by William and Mary, and in 1703 the first hundred persons were admitted into it. That officers were entitled to share in its benefits was proved by an epitaph on an officer who died there of his wounds in 1709—

> "Here lies the body of Mr. Pearce Welch, Lieutenant of H.M. Ship *Salisbury.* In the year 1703, on the 10th of April, they engaged a part of the Dunkirk squadron, in which he lost his lower jaw and part of his tongue by a musquet ball, after which he lived six years, four months, and twelve days, by liquids only. He was First Lieutenant of the Royal Hospital at Greenwich, and died the 22nd day of August, 1709, aged 59 years. His appointment to Greenwich Hospital was in 1704. He died in 1709."

The Hospital had been endowed by Queen Anne, George I., and by George II., and by the Royal Navy. Its land had largely increased, and its mortgages were now all paid off, with the exception of an annuity to a female of £1,000. It had been said that the navy had not contributed to the Hospital. The fact was that 5 per cent was paid by the navy on all prize money for the benefit of the Hospital, and there were certain men whose names were on a ship's books called widows' men, all of whose pay and allowances went for the benefit of the Hospital. Up to 1819 no less a sum than £400,000 had been paid to the Hospital as freight money. The sixpences of the merchant seamen did not amount to much. He could not understand, therefore, why naval officers should not be admitted to the benefits of the charity. The benefits of it ought to be given to those who were wounded or maimed, or unfit for service at sea. It was desired by the Government to turn this magnificent asylum—the admiration of the whole world—into an infirmary like Haslar Hospital. The men who went to Haslar returned, when they were able, to their profession; but Greenwich Hospital was intended for those who could never return to their profession. It was not an infirmary, but an asylum for old and meritorious seamen. He hoped he should not live to see it converted into an infirmary. The noble Lord the Secretary to the Admiralty had told them that it was intended to reduce the establishment to 600 men. It now contained 1,400 men. Unless larger pensions were granted they never would get many of these 1,400 to leave the Hospital. These men were provided with clothing, with food in abundance, and with nurses; and if they left the Hospital how could it be known whether or not they would be provided with all these things? If they were allowed to return to the Hospital his objection to the Bill would be in some degree mitigated, but if they were not allowed to return a great injustice would be done to them. He was himself earnestly devoted to his profession, and should ever deplore the day when the magnificent asylum of Greenwich should be converted into an infirmary.

MR. HOWARD said, he could confirm the remarks of the hon. Member for South Northumberland (Mr. Liddell) as to the bad condition of the parishes from which the Greenwich Hospital estate derived its revenues. In Alston, a parish of more than 30,000 acres, and with 6,000 people, chiefly employed in lead mining, only £100 a year was given out of the estate to the vicar and towards the two chapels there. Yet this parish, in which few people of position or property were to be found, produced £8,000 to the Hospital. This was a very inadequate provision for the clergy, especially as the livings were otherwise wretchedly provided for; and he hoped that out of the revenues of this great estate something more would be done to amend the condition of the incumbents.

MR. INGHAM, as a Member of the Royal Commission, said, he was of opinion that, though the words bearing on this point were general, the benefits of the charity were intended not for the merchant service but only for seamen in service under the Crown. That officers were not admissible was proved by the history of the Hospital. No doubt many had lived and died there, but they had been employed in the government of the Hospital. The fact that officers were not intended as objects of the charity seemed proved conclusively by one of the old rules, that if a seaman was promoted as master's mate he should be entitled to admission notwithstanding such promotion. He thanked the Government for the Bill. He heartily approved of the abolition of the system of double government, and had no doubt that by unity of action much good would be effected. He was satisfied that the allowing of pensioners to live amongst their friends would result in an increase of their comforts. He could not, however, but regret the superannuation of the Governor, because it would have given him great satisfaction to see some distinguished officer residing at the Hospital.

MR. ANGERSTEIN said, that the House was much indebted to the right hon. Baronet (Sir John Pakington) for bringing forward this subject. The fact that eight officers were selected out of the first 100 persons upon whom the advantages of the Hospital were conferred proved that officers were intended to share in the benefits of the institution. He should like, however, to know from his hon. Friend whether the officers who he stated were to be liberally compensated were to be placed in their former position on the Navy List. Officers of all ranks had been in Greenwich Hospital, and had subsequently by leave gone on the active list. Among the most famous examples were Lord Rodney and Captain Cook, the great circumnavigator of the globe.

MR. HENNESSY said, he wished to

ask the hon. Gentleman (Mr. Childers) a question with reference to the medical officers. The Commissioners in their Report stated that there was one branch of the establishment in which no reformation was required—the medical branch. He would ask, therefore, how it was that medical officers in the navy were excluded from participation in good-service pensions?

Mr. CHILDERS said, that almost every part of this proposal had been criticized, although perhaps the suggestions were as varied as they were numerous. He would, however, endeavour to answer each of the objections which had been urged against this scheme. With respect to the classes by whom the benefits derived from the Hospital funds would be enjoyed, the present condition of things would remain as nearly as possible unaltered. As merchant seamen had, with a few exceptions, which he would explain, never enjoyed the benefits of the Hospital, they did not propose to extend its advantages any further in that direction. The general principle of the Bill was to maintain the existing proportion between the different classes of officers and men for whom the institution had become available; but, at the same time, to extend its benefits among those classes by a more judicious and economical system of management. The present number of in-pensioners was about 1,000; and he believed that the country generally, while he was sure that the navy itself, would prefer that that number should be increased to 5,000 or 6,000 out-pensioners. They purposed acting on the assumption that Greenwich Hospital was intended, so far as the building was concerned, to be for the future an asylum for infirm, helpless, and wounded seamen, and that seamen were not necessarily entitled to be received as inmates merely because they were in receipt of pensions, and because they were unfit for longer service at sea. Starting on that assumption, their endeavour would be to apply the funds of the institution in the most economical way for the general benefit of the navy; at the same time, taking care not to disturb the existing balance of affairs between the Treasury and the Hospital. Having thus stated the general object which they proposed carrying out, he would proceed to bring under the notice of the House more specifically the manner in which that object was to be effected. Taking their past experience for guidance, they intended providing for as many infirm, helpless, and wounded seamen as they might reasonably expect would require relief. Last year there were in the Hospital between 300 and 400 seamen of this class, and at the present moment they numbered somewhat over 400. They had therefore provided for 600, and that provision they deemed to be ample. The other men, who were not infirm or helpless, would be much better in their own homes than within the walls of the Hospital. The gallant Admiral (Admiral Walcott) had asked if the present inmates, after accepting the out-pension, might afterwards return to the Hospital, and the reply he had to make to that question was this — they could return if they became infirm and helpless or required medical relief. They would give up the out-pension and be admitted.

Sir JOHN PAKINGTON: Would the out-pensioners be at liberty to return if they desired?

Mr. CHILDERS: They would not unless they were fit subjects for the Hospital; they must be either wounded, maimed, infirm, or helpless.

Admiral WALCOTT said, that was precisely what he wished.

Mr. CHILDERS said, he was exceedingly glad he had satisfied the gallant Admiral on that point. The next question was as to the mercantile navy. He was a little surprised at the arguments of the hon. Member for Northumberland (Mr. Liddell), but he might set against them those of the opposite extreme, which had recently been several times urged in *The Times* newspaper. However, he proposed to take the golden mean, which, perhaps, best suited that House. If by a total change of policy they threw on the Treasury an increased charge in consequence of the non-surrender of the out-pension, it was only just that they should compensate the Treasury as far as they could for the loss sustained. The Treasury took the charge at £15 per head, and in justice he did not think they could abandon their reasonable claim to compensation. But it must not be supposed that merchant seamen had no advantages from the Hospital. At the present moment the men were in receipt of very considerable benefits. First of all their children were admitted to the schools. In the second place a sailor who had joined the navy—supposing he came within the rule as to Greenwich Hospital—if he was wounded or maimed or became helpless he would then and there be entitled to the whole benefits of the Hospital. Besides, by a recent rule the benefits of Greenwich Hospital were granted to the members of the Royal Naval Reserve, either after belonging to it ten years, or after having served three years in the navy. With respect to merchant seamen, it was clear that Greenwich Hospital had never been intended as a retreat for them. The charter distinctly laid it down that those coming within the benefits of the Hospital must be "seamen serving on board the ships or vessels belonging to the Royal Navy," or "by reason of age, wounds, or other disabilities incapable of further service at sea, and unable to maintain themselves." The words of the charter were these—

> "Whereas it is our Royal intent and purpose to erect and found an hospital within our manor of East Greenwich, in our county of Kent, for the relief and support of seamen serving on board the ships or vessels belonging to the Navy Royal of us, our heirs, or successors, or employed in our or their service at sea, who by reason of age, wounds, or other disabilities shall be incapable of further service at sea, and be unable to maintain themselves, and for the sustentation of the widows and the maintenance and education of the children of seamen happening to be slain or disabled in such sea service; and also for the further relief and encouragement of seamen and improvement of navigation."

The Act which appropriated the income of the Derwentwater estates to Greenwich Hospital, in 1735, was no less distinct and decisive. After detailing the attainder, the Act proceeded in par 2—

> "And it is hereby further enacted, by the authority aforesaid, that all sums of money, collected and received by the respective receivers of the rents and profits of the said premises so forfeited and vested in His Majesty aforesaid which were not paid into the receipt of the Exchequer on or before the 25th day of March, in the year of our Lord, 1735, and all arrears of rents and profits of the same premises, due and owing from the several farmers, tenants, and occupiers of any part or parts thereof at or on the said 25th day of March, 1735, and all the rents, issues, and profits of the said premises which shall from and after the said 25th day of March, 1735, grow, accrue, or become due and payable for and during His Majesty's said estate and interest in the said premises (subject in the first place to the payment of the said annuity of £100 a year as the same shall grow due, and of all principal and interest due and to grow due upon the several incumbrances hereinbefore mentioned), shall be issued and applied, and are hereby appropriated and applied to the uses and for the purposes following—that is to say, in the first place for and towards the finishing and completing the building of the said Royal Hospital for seamen at Greenwich, and after the building of the same Royal Hospital shall be completed and finished for and towards the support of the said Royal Hospital for the better maintenance of the seamen of the said hospital, worn out and become decrepit in the service of their country."

That description applied to the navy, and to the navy only. But the Merchant Seamen's Fund Act of 1747 was still stronger on the point. The preamble of that Act was perfectly precise on the subject, for, after reciting all the Acts with respect to Greenwich Hospital, it used these words—

> "And whereas the said hospital is not capable to receive nor the income thereof sufficient to provide for the seamen in the service of the Royal Navy who are wounded, maimed, or worn out by age, or otherwise entitled to the benefits thereof, so that the seamen in the merchants' service maimed and disabled in fight have seldom, if ever, been admitted into the said hospital, though entitled thereto, and proper objects of charity. And whereas there is no provision at all made by either of the said Acts for such seamen in the merchant service as are maimed or disabled by accidental misfortune, or for those worn out by age, or for the widows or children of such men as shall be killed, slain, or drowned in the said service."

It was therefore distinctly recited in that Act of 1747 that no provision had been made for any merchant seaman unless he was maimed or disabled in fight repelling the enemy. That was conclusive on the subject. He might also cite the Out-pension Act of 1762. The preamble of that Act was in these words—

> "Whereas by several Acts of Parliament, sundry estates, rents, and sums of money are granted and specially appropriated for and towards the finishing and completing the building of the Royal Hospital for Seamen at Greenwich, and for and towards the maintenance of the seamen in the said Hospital worn out and become decrepit in the service of their country."

He might also refer to the very interesting debate which took place on this subject in May, 1834. Mr. Lyall said—

> "Merchant seamen were zealously excluded from the benefit of Greenwich."

Mr. George Frederick Young said—

> "The Act of William III. was an unjust one, and it was the duty of the House to redress the wrong committed under its sanction. In Greenwich Hospital merchant seamen had no interest at all."

Mr. Poulett Thompson observed—

> "It had been said merchant seamen were not benefited, but what quibbling was that when after one day's service in the navy they had a title to the Hospital?"

Lord Sandon also said—

> "Merchant seamen had no interest in the fund, or at best so remote an interest that they could not comprehend it."

On that ground—that they had no interest in the Hospital—the demand for the merchant seamen's sixpences was abolished, and a contribution from the Treasury substituted. That was perfectly conclusive on the subject that merchant seamen had no claim whatever on the funds of the Hospital unless wounded or hurt in repelling the enemy. He might go further, and say that Parliament should pause before it gave merchant seamen a title to be maintained in their old age by the public. They were not dealing with 50,000 or 60,000, but with about 300,000 sailors, and if they laid down the rule that seamen of the merchant service were entitled to maintenance in their old age at the public expense, there would be no end to the claims they would have to meet. As well might spinners or weavers or any other class demand a similar provision. It was quite a different question whether a portion of Greenwich Hospital might or might not be applied temporarily to their benefit; although on that point he declined giving any positive opinion. He had very strong doubts whether such an arrangement would not be objectionable; but that was a different question from what they were now discussing. The regulations as to the admissions to the Hospital would remain in *statu quo.* The right hon. Baronet said the arrangement as to the Vote for the Hospital in connection with the expenditure was a clumsy one, but he did not see how it could be altered. It was a wise principle that the money to be expended on the navy in the form of pensions should come within the view of Parliament; and, though the process might be complicated under which expenditure from separate funds should be provided by the Votes of the House, it was a sound arrangement, which he hoped to be able to justify in Committee. The right hon. Baronet (Sir John Pakington) objected to the 13th clause as affecting a particular person, which he said the Admiralty had not the candour to own. The effect of the 13th clause was that any person who might be employed in the Hospital or receiving a salary there, and who might also be in the receipt of a superannuation, should be entitled to receive the same amount that he at present received from his emoluments and superannuation combined. That clause, he believed, would be found only to apply to one person, and, therefore, if the right hon. Gentleman raised the specific point in Committee the Government would be prepared to state how the clause would affect the interests of that person. The right hon. Gentleman had expressed a doubt whether the in-pensioners would take advantage of the option to be offered under the Bill, but a pensioner of the Hospital who now surrendered 10*d.* or 1*s.* a day would be entitled under the new scheme to, if above seventy years of age, 9*d.* per day additional, and if over fifty-five to 5*d.* a day; and under a clause of the Bill, in consideration of certain gratuities they now received, the income of some of the pensioners would amount to 2*s.* a day. He could not but think that many pensioners would prefer these out-pensions to remaining in the Hospital. He had been inundated with letters from pensioners and sailors from all parts of the kingdom, and he had no hesitation in saying that they were satisfied with the new scheme, and that so far as the word "popular" could be used in such a matter the recommendations of the Admiralty were popular in the navy. The hon. Member for Northumberland (Mr. Liddell) had asked whether the Admiralty proposed to carry out the recommendations of the Commissioners in regard to the sale of the livings of Greenwich Hospital. There had not been time to prepare a clause on this subject, but he intended to move that the Bill be committed at once *pro formâ*, and he would introduce clauses providing that these livings should ultimately be sold. The proceeds would be divided into two funds—one to improve the retirement of naval chaplains, and another to be applied to increase the value of the livings, some of which were very ill-endowed. The hon. Member for Greenwich (Mr. Angerstein) had asked whether the present officers of the Hospital who were lieutenants and commanders would not be allowed to go back to the active list and to get the benefit of a rise to higher rank. He thought that the officers ought to elect one of two things. The Admiralty were going to give them every shilling they now received from the Hospital, and those who now received payment subject to the performance of any duties would be exonerated from those duties. The House would not have approved a scheme which gave these officers all their present emoluments and also all the privileges of the active list. That would be a most outrageous and extravagant proposition, and one which the

Government were not prepared to make. The hon. Member for the King's County (Mr. Hennessy) had truly stated that the medical officers had been favourably reported upon by the Commissioners, and the Admiralty were not going to take away any part of their employment. On the contrary, they would probably be more fully occupied than at present. But that was no reason for giving more pensions to that class. As to the number of additional officers who were to receive out-pensions, he would state that while they were going to provide out-pensions for 5,000 seamen, the total number of additional officers who would receive a similar benefit would be only seventy-eight, from captains downwards, and ten flag officers. That proposition was not at any rate unjust to the men, and if any complaints at all were made he rather expected it would be said that the Government had not made sufficient provision for the officers. He had also been asked whether the Government did not intend to maintain the posts of Governor and Lieutenant Governor of the Hospital. Now, he trusted that the House would resist the idea of maintaining these sinecures at Greenwich, and appointing a Governor and Lieutenant Governor who had nothing to do but fly their flag there. It was the very principle of the Bill to replace a most expensive staff by the staff actually required for the active business of the Hospital, and to employ the money so saved in increasing out-pensioners of the Hospital. If that principle of the Bill were broken into in the case of one sinecure, it would be difficult to resist others. He was happy to assure the hon. and gallant Admiral, however, that the present Governor and Lieutenant Governor would not be disturbed, and that the flag of the former would remain flying during the life of that very distinguished officer. There was no Amendment to the second reading, and he trusted that the Bill would be read a second time unanimously and discussed in a friendly spirit in Committee.

Sir JOHN PAKINGTON said, he wished to know whether the expenditure would be provided by Parliament out of the Consolidated Fund, and what would be the future government of the Hospital?

Mr. CHILDERS said, that the expenditure of the Hospital would come under the review of Parliament annually by being voted in the Estimates and repaid to the Consolidated Fund out of the Hospital income. In regard to the future government of the Hospital, he believed it would be precisely the same as at Haslar. There would be a Captain or Admiral Superintendent, and three or four Lieutenants for discipline. All the appointments would be staff appointments, and held for the usual short period.

Sir JAMES ELPHINSTONE said, the Government were about to administer the funds of Greenwich Hospital on a better system than that in use at present. The origin of the Hospital was in the charitable feelings of the Sovereign of the day. The country had enjoyed a large amount of credit for its cheap philanthropy, though it had never given anything to its funds. When they were making new arrangements the claims of the merchant seamen, who contributed their sixpences, ought not to be ignored. In the first American war the merchant seamen were pressed into the service, but in many instances the whole of their services were lost so far as any claim of a pension was concerned. They had now the Naval Reserve, and the men who served in it ought to get a portion of the benefits to be derived from the Hospital. The funds had principally been made up from Chatham Chest, the percentage on freights, merchant seamen's sixpences, dead men's effects, &c. The hon. Gentleman had quoted the Act of Parliament of 1747, and the original charter, to show that merchant seamen were not included in the original design. But different circumstances had since occurred, and it would have been a wise plan to give merchant seamen a share in the benefits, since they had for 130 years paid their sixpence a month to the Hospital. They ought to transfer the establishment of the *Dreadnought* to Greenwich Hospital. They were not likely to return to the monastic system, which was very properly to be done away with, and they would have ample room for the infirmary in Greenwich Hospital; and he did not see why that infirmary should not embrace the merchant service as well as the Royal Navy. They had at Greenwich Hospital—he would not say one of the most distinguished officers, but the most distinguished officer in the navy—one of the heroes of the Nile, who in two single actions had captured his ship, and who was one of the last of the heroes of the late war. Their admirals of the fleet had not seen anything like the service which Sir James Gordon had seen, and it would be a just tribute if they created him an admiral, to preside over that establishment. When the Bill went into Committee he should move a clause that, in the declining years of his life, some substantial recognition of his services be made.

Motion *agreed to.*

Bill read 2°, and *committed.*

Bill *considered* in Committee.

House *resumed.*

Bill *reported;* to be *printed,* as amended [Bill 179]; *re-committed* for *Thursday* 8th June.

COLONIAL GOVERNORS (RETIRING PENSIONS) BILL—[BILL 133.]

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. BAILLIE COCHRANE said, that he begged, on the part of the gentlemen affected by the Bill, to recognize the interest taken by the right hon. Gentleman (Mr. Cardwell) in the colonial service, as indicated by that measure. The Bill was a step in the right direction, although as it stood it did not meet the real requirements of the case and would not work. In introducing such a measure the first object should be to make it a measure which should give, if not universal, at any rate general satisfaction to the service, and not one the benefits of which would be confined to a very small part of it. These gentlemen were sent out to fill high and important posts, often in unhealthful climes. They were not merely colonial officers, but were the immediate representatives of the Sovereign, and after twelve or eighteen years' service, upon salaries out of which it was impossible for them to do justice to their position and save a sixpence, they returned home to be thrown upon the world penniless unless they happened to have private fortunes. The Bill required an active service of eighteen years from a Colonial Governor before he could receive a pension. In other words, he must have held three separate Governments. But at the present moment he believed there were not more than two officers in the service who would receive any advantage from the measure if that condition were insisted upon. One distinguished officer had served seventeen years and two months, and he would be entirely shut out. Colonial Governments were generally granted for six years, and it was very difficult to obtain three in succession. Moreover, where three were obtained it was still difficult to make out the eighteen years, because something or other perhaps occurred which caused a Governor to be recalled a year or two before his full term, and if he had served but sixteen years when he came back he would not be entitled to a pension. He certainly thought the term ought to be fixed at twelve years, and that after such a period of service as that it was neither to the credit nor the dignity of this country that a Colonial Governor should be left without the means of support, unless he possessed a private fortune, which might not be the case. But these gentlemen would be satisfied if the right hon. Gentleman would fix the term at fifteen years, which would generally cover the time represented by three distinct appointments. Another provision of the Bill was that no Colonial Governor should be entitled to a pension until he was sixty years of age. That rule was, he knew, based upon the principle adopted in the Civil Service; but an officer of the Civil Service received regular employment till he was sixty, whereas a Colonial Governor, after holding three appointments, depended upon the will of the Secretary of State whether he obtained further employment or not. Supposing a man to have been sent out at thirty to his first Colonial Governorship, and to have served eighteen years mostly in sickly climates, he would return home at forty-eight years of age. He might ask for another Governorship and happen to be refused it; and then he would have to walk up and down the street waiting for his pension for another twelve years until he was sixty. He would suggest, therefore, that instead of sixty the age should be fixed at fifty, always providing that up to sixty the officer should be required to accept employment if it were offered to him. Another provision of the Bill was that where any officer had administered the government of any colony or colonies, and had also been employed in the permanent service of Her Majesty, but was not entitled to a pension under the preceding clauses of the Bill, the number of years passed in such Colonial Governments should, for the purpose of computing any superannuation allowance to be granted to him under the Superannuation Act of 1859, be taken to have been passed in the Civil Service of Her Majesty. Let them omit the word "permanent" from that clause and not cast a slur on the colonial civil service, time spent in which ought to be allowed to count. He would suggest in Committee a modification of the clause. He saw the other day in that great influential organ of public opinion *The Times* of the 12th inst., a very able article on that subject, from which he would take the liberty of quoting the following passage:—

> "Now, doubtless, this scheme has been copied from the English Superannuation Act. But, as you will see, the cases are not analogous. The civil servant in England, whether in the Treasury, the Admiralty, or the Foreign Office, is during his whole period of service in the receipt of a salary—a salary, too, which is continually increasing with the duration of his employment. He receives this up to the moment when his pension becomes due. The salary and the pension, so to speak, coalesce. He knows no intermediate condition between that of full pay and pension. But the case of a Colonial Governor is wholly different. He is appointed for six years. When the six years are over he is not sure of being appointed to another Government. He has no absolute right or claim to such a re-appointment."

The writer went on very forcibly to point out the loss in most cases to which the Colonial Governor had to submit. Well, then, at a time when the colonies were attracting so much public attention, when their relations with us were becoming so much more difficult to maintain, and when almost the only possible link of connection was the appointment of the Governors, it was of the utmost importance in introducing a measure of this kind to satisfy the just demands of those officers. It was a disgrace to this country that a distinguished officer like Sir Francis Head should be able to say—

> "In short, my deliberate opinion about colonial service is this:—The public, in this department, is the worst master a man worth anything can have. Under the present system there is no career, properly so called, and an able man who devotes himself to the colonies makes a great and serious mistake. It may be, in many cases, that a man cannot help himself; but I speak of those who have an opportunity of advisedly selecting their line of life. It is not a comfortable reflection, after spending the best part of one's life in the public service, to find that the provision thought equitable in other cases is denied specially in yours. Whether a man can or cannot do without it, there must be a certain bitterness of feeling generated by the contrast."

Well, that was the feeling which prevailed, and which was represented in the great organ of public opinion. It was stated in *The Times* not very long ago, that—

> "The colonial pay for all grades and departments is so small that it is almost impossible to save anything, and few men come home without getting into debt or encroaching on their private fortune."

It was the knowledge of this which had induced his right hon. Friend (Mr. Cardwell) to bring in the Bill. He knew a case, and his right hon. Friend also knew it, of a man of distinction whose salary in a climate not very good was only £500 a year. What could such a man representing his Sovereign save out of £500 a year? Salaries, which at one time were £5,000 a year and more, had been reduced to £1,000, £2,000 or £3,000. Seeing that greater efficiency had been shown in no other service, when a Bill was introduced with a view of granting pensions to Colonial Governors whose salaries had been reduced to the lowest point, it should have been of such a nature as to give satisfaction, while it did not call upon the House to give its assent to anything which should appear to be exaggerated. At all events, he would say, let justice be done to gentlemen who had done such services to their country.

SIR WILLIAM JOLLIFFE said, he thought that there were many defects in this Bill. In his opinion it was far too exclusive. It proposed only to reward officers who had passed almost their lives in filling these offices. It was not a continuous service, and a man might serve here and there and have great intervening periods between his different appointments, which would deprive him of a pension; and therefore he thought that the Bill would not give that satisfaction to gentlemen in this service that it was desirable they should feel. He was greatly disappointed that the Bill confined pensions exclusively to cases of length of service. The House should consider how appointments of this kind were made, and that they were different from the rest of the Civil Service appointments. The gentlemen in question were selected exclusively at the discretion of the Colonial Minister, and he might or might not continue to employ them. He (Sir William Jolliffe) could not see why the Minister's discretion should be exercised only in this way, nor why in the case of great and distinguished services he should not have the power to recompense those services. He had the honour last year to bring before the House the case of Sir Francis Head, who many years since rendered services to this country which were quite unparalleled, and who had for all those years been deprived of any compensation for such services. He had been without employment and without reward. He gave up an appointment of £1,000 and accepted the Governorship of Canada at a moment's notice. He (Sir William Jolliffe) was quite satisfied that if the way in which Sir Francis Head left the service was thoroughly sifted, the whole world would acknowledge that he had been treated in a manner that was not creditable to the country, which he had served so well. Last year, he (Sir William Jolliffe) made some observations upon this matter, which his right hon. Friend (Mr. Cardwell) very kindly considered; and, among other things, he had urged that a Bill like this should contain provisions to meet this particular case. His right hon. Friend made some observations as to granting pensions for distinguished services where the length of time had not been served; and this had raised his hopes in reference to Sir Francis Head. This gentleman had received the highest possible testimonials from Lord Durham and many other distinguished persons, showing that his case was one that merited consideration. He (Sir William Jolliffe) had written to him asking his permission to read to the House a letter which he had been so kind as to address to him, and which letter described the case. Sir Francis, after making some comments upon a speech of Mr. Cardwell, delivered on the 11th July, 1864, said—

> "In the printed Bill now before the House of Commons this morning, no such provision exists; and as no one can be more desirous than I am to uphold the monarchical principle that a reward for public services can emanate solely from the Minister of the Crown, I feel that the only course I have to pursue is, without a moment's delay, to request you to be so good as to state in the House of Commons, in my behalf, that in perfect good humour, and without the smallest complaint, I bow to the adverse decision of the Queen's Government, which excludes me in my 73rd year from any portion of the rewards proposed by Her Majesty's Ministers to be given retrospectively to the bygone services of other Colonial Governors.
>
> "Although I clearly see that it was quite right to omit in this Bill the intended clause in favour of short 'distinguished services,' which, to colonial secretaries, would always be difficult, as well as invidious, to define; yet, I feel that a short special clause, authorizing the Colonial Minister to weigh my services, instead of measuring them, might, without very much injury to the public service, have been introduced. For if, without troops, I repelled the invasion of Canada quickly, is it not rather hard that I should be excluded from reward, simply for the reason that I was not long enough about it? And is it not harder still that Parliament, after passing a 'Canada Rebel Indemnity Act,' should now proceed to pass a 'Colonial Governors' Pension Act,' deliberately excluding me, who suppressed rebellion, from the indemnification they awarded to those who committed rebellion?
>
> "Lastly, while the President of the United States, at this moment, is expounding, as a republican doctrine, that 'though murder is a crime, arson is a crime, yet that the greatest of all crimes is treason,' is it not rather strange that the monarchical Parliament of Great Britain should, by two separate enactments, not only pardon, but reward the Queen's enemies in Canada; and, on the other hand, neglect one who, by obediently giving up an appointment of £1,000 a year, has literally sacrificed £27,000, by successfully defending, as Her Majesty's representative, in that remote region, her laws, her territory, and her people?
>
> "It is possible history may argue that I have been, by my country, roughly dealt with. She shall, however, have no just cause to say, that, insensible of the blessings I have enjoyed, I was foolish enough, and ungrateful enough, to die . . . . discontented."

The letter was honourable to the writer, and a touching appeal to the justice of the House and the country. In Committee he should make a suggestion, and he hoped it would be possible by some clauses in the Bill to embrace the case of Sir Francis Head.

Mr. MOOR said, he wished to call attention to the case of a gentleman—a friend of whose abilities he had full knowledge—who for fourteen years had administered the affairs of a district in one of our largest colonies, to the satisfaction of the Government, and whose claim to a pension was not included in the provisions of this Bill. He was sent out in 1839, to manage the affairs of a large district (Port Phillip), which happened at that time to be under the administration of the Governor of New South Wales. He held Her Majesty's Commission, not as Lieutenant Governor, but under the new-fangled name of Superintendent. Then the separation of the district from New South Wales took place, and he became Lieutenant Governor. During that time he was sent under the Sign Manual of Her Majesty to New Zealand. It was admitted by the Government that he had served the country for fourteen years with integrity, assiduity, and success; and yet the right hon. Gentleman the Member for Louth (Mr. Chichester Fortescue) coolly informed him in a despatch, that because for a certain portion of the time he was only called superintendent of the province over which he ruled, he could not participate in the rights which this Bill professed to give. He (Mr. Moor) challenged the production from the whole series of colonial injustice of a harsher case than this. He had no authority to advocate this gentleman's case, and he dared say that by advocating it he was doing him injury; because he knew the Governmental mind, and that very often the espousal of the cause of a man who had been treated with injustice resulted in his further damage. This gentleman was not a man of territorial possessions; he belonged to no party; neither did he (Mr. Moor) belong to any party; he was an independent Member. It was of no use to appeal to the sense of justice in the House, because he knew that he could not bring to his support either one side of the House or the other, so that between them both, his friend was likely to go to the wall. But he would appeal to the Secretary for the Colonies, who had had all the papers before him, with his strong hand and kindness of heart, to sweep away the quibbling distinction which had been set up, and introduce some words in the Bill which should have the effect of doing justice to a man who, after fourteen years of faithful service, was blind, poor, and destitute.

Mr. ADDERLEY said, his opinion went even further than any which had yet been expressed as to the serious evils involved in this Bill, and if any adequate amount of support was likely to be accorded, he should seek to throw it out on the second reading. The defects of the measure were threefold. It did not do well, but stintingly, what it professes—that is, what was contemplated in the Resolutions passed last year at the instance of the hon. Member for Honiton, who was the virtual author of the Bill; next, it only made provision for those who had served a certain number of years, taking no account of others, who in shorter periods might have rendered more distinguished services to their country; but its principal defect lay in the fact that it was a retrograde step from the whole of our modern colonial policy. A retrograde step is taken in beginning again to charge colonial services upon the Treasury of England. It would be for the Chancellor of the Exchequer, who had delivered so many able speeches on this subject, to defend a measure opposed to all his expressed convictions. In the last century we tried to make the colonies tributary to this country by converting them into fields for the patronage of the British Crown, and seeking to gain commercial advantages from them. The attempt to carry out the policy forcibly lost us the most valuable colonies this country ever possessed, and then we went to the other extreme and became tributary to our colonies paying all the expenses of their Government. It was only very recently that we had become convinced of the fallacy of a system which was doing mischief to the colonies themselves, and that we had again retraced our steps, and said to the colonial subjects of Her Majesty, "You must act like the Queen's subjects at home, and pay your own expenses." Having with difficulty established that principle and induced the colonies to pay their own Governors, we were now under this measure about to resume what is, in fact, a portion of these payments; and, what is worse, to introduce a system of joint payments, which could not fail to operate mischievously. Would not the gold-digging colonies of Australia, when they saw the mother country ready to take this step, reduce the salaries of their Governors? They had already found that they had been paying too much, they had begun the reduction, and they would reduce still more, and the consequence would be that only part of the expense of their own Government would be paid by the rich taxpayers in the colonies, and part would fall upon the already sufficiently burdened English taxpayer. Of all periods for making this retrograde movement it was singular that it should come at the moment when there were hopes that the North American provinces would soon form themselves into a great confederation, undertaking their own defence, assuming their proper position as a great self-reliant country, and being no longer an embarrassment but an aid and a protection to this country. If the five united provinces of North America maintained a Governor for eighteen years, England would pay his pension when he was sixty years of age. This Governor was also to appoint the Lieutenant Governors of the confederated provinces, who, under this Bill, would nevertheless be pensioned here. The colonies now paid their own Governors out of the taxes arising within the area of their Government—that is, out of that portion of the Imperial taxation which was raised within the province of the Governorship, and by the votes of the representative Parliament of the colony; and it would be just as reasonable for a distant county in England—Cornwall for instance—to apply to the metropolitan county of Middlesex to pension out of its rates, for the economy of theirs, the Governor of one of its gaols as for this country to be asked to pension Colonial Governors. He quite agreed with the hon. Member for Honiton, that, whoever paid the pensions, they ought to be on a handsomer scale than this Bill proposed; and that any Governor who was strictly a servant of this country, and not of the colony, such as those of past times, and those over Crown colonies, ought to be pensioned on the conclusion of such service. There were many such cases, and it would be miserable policy to deny their claims, and yet to grant them in analogous cases. A proof that the Bill was vicious from its very foundations was afforded by the attempts to lessen the burden that would be inflicted by it upon the country, by shifts such as had been referred to in the course of that discussion. It mattered not what the title of the claimant was; in fact, many other kinds of colonial officers had as good a claim. Probably the worst defect of all was the ignoring of short but distinguished services. A man might have been for the prescribed number of years governing one of our colonies in the very worst manner—plunging the country into a series of Kaffir wars by his injudicious rule; maintaining a Maori strife against the advice of his own Government and the remonstrances of the Home Administration; wasting the treasure and lives of this country in Ballarat riots, and yet, under this Bill, he would receive a pension; while for such a man as Sir Francis Head, who, in a much shorter period, had rendered signal services to this country, no provision whatever was made. Sir Francis Head, in a letter, quoted the words used by the Colonial Minister last year, to the effect that—

> "No doubt, whatever Bill might be passed on this subject, provisions would be introduced to enable the Government to grant pensions for distinguished services, even though the specified limit of service might not have been reached."

What was the principle of the Bill? To reward services. If that was so, the reward of distinguished services ought to be a primary consideration. Sir Francis Head had rendered most distinguished services to the country. Men who were rebels when he went out to assume the Governorship had become Ministers before he left. The policy having changed, his services were ignored. He had given up a lucrative appointment in this country to go out to Canada, when it was thought his services would be valuable there; but when he came back he was neither rewarded nor re-instated in the office of which he had been deprived in this country. The vigour of his administration had effected too thoroughly what he was sent to perform. All the recompense he enjoyed was that of being an honoured subject of the Queen, but a poor man. In the present state of the House, he felt that he would not be supported if he were to divide; but he proposed that in Committee they should insert words to meet the case of distinguished services, and also words to provide that pensions should not be paid by the country to Governors whose salaries had been paid by the colony.

SIR JOHN PAKINGTON said, he thought that his right hon. Friend (Mr. Adderley) had very successfully answered the first by the second part of his speech. He could not for a moment agree with his right hon. Friend that from the fact of a Governor's salary having been paid by the colony the Crown should not, therefore, grant pensions for services rendered to it in any part of the world. His right hon. Friend apprehended that the colonies which paid the salaries of those Governors would reduce those salaries when they found that pensions were to be paid by the country; and he had mentioned the case of Victoria as a colony in which the salary of the Governors was being reduced. But why was that being done in Australia? Because the salary of the Governors had been raised to a very unusual amount, £15,000 a year—under pressure of the enormous rise of prices which had followed the discovery of gold there; and now that things were coming back to their level, the same reasons did not exist for the payment of such a salary. But he wished to apply himself to a much larger question. He entirely approved the principle of the Bill, but he asked to whom it would apply. He doubted very much whether it would apply to any one. He concurred with what his right hon. Friend had said with respect to Sir Francis Head, who, no doubt, was a most distinguished public servant, and had not been treated in a manner creditable to this country. He had been sent out at a very critical moment, but instead of being rewarded for what he had done in Canada, he was repudiated by the Government, notwithstanding that he had been deprived of an office at home, the salary of which, £1,000 a-year, he might have enjoyed for the last twenty-seven years if he had not complied with the demand which the Government had made of him. He hoped the right hon. Gentleman the Secretary for the Colonies would take this case into his consideration.

Mr. CAVE approved entirely of the general principle and object of the Bill. He thought it would tend to make the service more popular, and bring into it a larger number of competent men. He could not agree with his right hon. Friend (Mr. Adderley) that the colonies ought to pay these pensions. It might be quite right that as long as they enjoyed the benefit of the services of their Governors they should pay the salaries; but the House ought to look at the Bill in a more Imperial point of view as the means of obtaining a body of public servants upon whom this country could rely for the government of any colony at any time. This measure would also confer a great boon upon a meritorious class of public servants who had received hitherto but little consideration. It was rarely possible for a Colonial Governor to save much out of his salary — a saving Governor was rarely successful. Those who were popular and successful frequently spent part of their private means in addition; and they, too, often returned home, after protracted periods of service, broken in health, with habits formed in a different mode of living, with their friends dispersed or dead, their power and consequence gone, and not even a bare competence to reward them for having spent the best years of their lives in their country's service. He (Mr. Cave) looked also to another advantage from this measure. It was rarely possible to tell beforehand whether any man would make a good Governor or not. An excellent civil servant frequently made a very indifferent Governor. This Bill took from the Secretary of State all excuse for continuing such a man in such a post, by providing that, if recalled to his former occupation, he should lose none of the time during which this as it were experimental office had lasted. But he was sorry the Bill had not gone somewhat further in the same direction, and allowed the time occupied by Governors in civil employments in the colonies themselves to count as well as the time occupied in the Civil Service at home. Surely ten years in an unhealthy country gave as valid a claim as ten years in Downing Street. He knew an instance of a Colonial Governor who was twenty years in the West Indies, ten of them as Colonial Secretary in British Guiana before promotion to a Governorship, and though it was true that he was paid by the colony, yet he was appointed to these offices virtually by the Crown, and might be said to have been educated for the high service of this country at the expense of the colony; and it should be remembered that on his promotion he gave up another service in the colony which might eventually have led to a retiring allowance, and when it was considered how much colonial salaries had been reduced, and that there was rarely any half-pay, he thought the colonial time of these gentlemen ought to count for their pension. He also thought that the case mentioned by the Member for Brighton (Mr. Moor) was worthy of consideration. A Superintendent administered the affairs of a colony to quite as full an extent as a Lieutenant Governor, and it would be very hard if an arbitrary variation of title should deprive him of his pension. Hoping the right hon. Gentleman would see his way to introducing words in Committee to this effect, he cordially supported the second reading of the Bill.

Mr. ARTHUR MILLS said, he did not concur in the objections raised against the Bill by the hon. Member for North Staffordshire as involving a departure from the principle laid down for the conduct of colonial affairs by recent legislation. There were cases in which a portion of the Governor's salary should be borne by the colonies — as, for instance, that of Australia, which was very wealthy, but he could not see what impropriety there could be in the Imperial Government paying the pension in cases in which the colonies paid the salaries. Every one who had studied the question knew that peculiar difficulties arose in the government of the colonies from the circumstance that, unfortunately, the Governor was frequently a mere puppet in the hands of the Colonial Legislature, and greater difficulties still would arise if he were dependent upon the Colonial Legislature for his pension as well as for his salary. It had been said that we should abandon our colonies, but if we intended to hold them we ought to place the representative of the Queen in a position in which he could command authority, and in which the Queen, whom he represented, would be respected. Of course, it might be said that this would involve a very considerable item of charge upon the Imperial revenue, and that it might be extended still further; but that was a result which could not be avoided. When it was at first proposed to limit retiring pensions to a number of Governors holding first-class positions, he thought the proposition most objectionable. It would be unfair to grant pensions to the Governors of such colonies as Canada and Australia, who received very large salaries and resided in healthful climates, and to withhold them from those who were obliged to live in such places as Gambia and Lagos, whence they returned bankrupt in health and purse. The great merit of the Bill was its very fair and inexclusive character. In reply to what had been said as to the case of Sir Francis Head, alluded to by previous speakers, it would probably be asked, "How can you gauge distinguished services?" That was a difficulty which he was not prepared to solve, but length of service was not the only gauge of merit. If they were to exclude men like Sir Francis Head they would make what, under other circumstances, would be a very graceful act on the part of the Legislature, an act of a very different kind. As to the case of Mr. Latrobe, his exclusion because he bore the title of "Superintendent" was evidently an oversight. It would be far better if a clause could, in the first instance, be introduced into the Bill embracing cases of this kind. The main point of the measure, which he heartily approved, was that it appeared to him to tend both to encourage able men to enter the colonial service and to render them independent both during and after their service.

Mr. CARDWELL said, no person could have listened to the discussion which had taken place on the measure before the House without feeling that to draw up a Bill of this description was no easy task. When the right hon. Member for Staffordshire (Mr. Adderley) commenced his speech it almost appeared as if the Bill had only been successful in displeasing everybody, because it either went too far or not far enough; but as the right hon. Gentleman proceeded, it appeared that he was willing to be even more liberal than the Bill itself, but at other people's expense, and that was only nominally, for in reality it was at nobody's expense. If only those Governors who were paid by the mother country were to receive pensions he was afraid the number would be like Slender's love—"small at the beginning and decreasing on further continuance," because there were few Governors who were paid by the mother country. The Government had to discharge a difficult and divided duty, because while it was their desire to do that which would be efficacious and sufficient for the improvement of the service, it was also their bounden duty on the part of the executive Government to be careful of the public money, out of which these pensions were to come. They, therefore, had to frame rules which should be clear, precise, and intelligible, and to lay them before the House in order that it might be determined how far they should be adopted and how far they were capable of amendment. The Bill was to be of a prospective rather than a retrospective character, as it was intended to act as an inducement to gentlemen of position to become Governors of colonies so that there might be a continual supply of able men who would be capable of upholding the dignity of the Crown. He might say that he during the short time he had held office—as well as the gentlemen who had preceded him in the office he held—had done his best to find persons who were the most diligent, the most able, and in general the best fitted for the office they were to hold. The selection of the Governor of a colony was a matter of the greatest importance, and he was certain that it was not mainly Parliamentary influence, but a conviction of the value of their services, which led to the selection of gentlemen for those offices. The desire was that those who had acquired a character in the lower branch of the service should rise by merit to the higher posts, and therefore the Government had adopted in this Bill the principle, not of a continuous, for that was impossible, but of a *quasi*-continuous service. Some hon. Gentleman complained that the Bill proposed to reward not distinction, but merely length of service, but that was exactly the principle of the Superannuation Act which was in force in this country. No doubt there were special cases, such as that of Sir Fenwick Williams, in which Parliament went out of its way and gave a special reward for special services; but in framing an enactment which was to be carried into execution by a Minister of the Crown, it was desirable as much as possible to lay down clear and intelligible rules, and not to place it in the power of an individual under the colour of an Act of Parliament to favour an individual. Acting upon that principle, the Government had proposed that when a gentleman had served for three Governments, or eighteen years, or for twenty-five years, partly in the civil service and partly as Governor or Lieutenant Governor, he should, on attaining sixty years of age, or if after serving for fifteen years he was permanently disabled by ill-health, immediately be entitled to a full pension. There was also a provision that any gentleman more than forty years of age, who had served twelve years as Governor, or twenty years in the Civil Service, of which he had acted for eight years as Governor, or any one who after serving ten years as Governor was permanently disabled, should be entitled to two-thirds of his full pension. The right hon. Baronet (Sir John Pakington) asked with some incredulity whether there were at present any Governors who would be benefited by this Bill. Now, although the liberality of Parliament would extend to those who had already served as well as those who had only partly served their time, it was the duty of the Government in framing the Bill to act on a principle that would tend to elevate and improve the service rather than give a benefit to those who had completed their service under different engagements. There were eighteen persons who would have vested rights under the Bill as soon as it came into operation, but of these two were already in possession of pensions which would render those rights of no value. [Mr. BAILLIE COCHRANE: How many had served eighteen years?] The Return before him did not show that. [Mr. BAILLIE COCHRANE: I believe two.] There were also fourteen gentlemen who, if they completed the services upon which they were now engaged, would acquire a similar right, which made a total of thirty persons to be benefited, showing clearly that this Bill would confer advantage upon a considerable number of persons. He often concurred with his right hon. Friend the Member for Staffordshire (Mr. Adderley) upon questions of colonial policy, and had frequently received from him kind and generous support in that House, and he fully ageeed with him that the burden of the payment of Colonial Governors should be thrown upon the colonies and not upon the mother country, but he could not maintain that there was no Imperial service performed and no Imperial duty discharged by the Governor of a colony. He could not deny that there was some claim upon the Imperial Treasury for services rendered by the Governors of colonies under difficult circumstances. Even within a short time we had had experience that firmness in the discharge of his duty to the Crown was a quality in a Governor which ought to be recognized by the Imperial Government. Practically to deny a pension from the funds of the Imperial Treasury was a denial of that principle. The right hon. Gentleman had supposed the case of the Governor of all the North American provinces after eighteen years' service. But that was an impossible case. The rule was to serve six years in each Government, therefore it would be impossible to ask the colony where he had last served to pay. Where men served, as Colonial Governors did, for six years in one colony, and then for six in another, and then for six in a third, all in different parts of the world, it was impossible to come upon any one of these colonies, and ask it to pay the pension. Was not this a *reductio ad absurdum?* Was it not clear that pensions must be paid in the manner proposed by the Bill, or not at all? Of the Amendments which had been suggested there were two which struck him as important to be noticed now. The point raised by the hon. Member for Brighton (Mr. Moor) had not yet received from him so much consideration as it deserved, and he must defer giving any reply until the Bill went into Committee. The case of Sir Francis Head and the general subject of distinguished services was discussed in the course of last Session, and he then stated that when the House of Commons had established the principle of giving colonial pensions it would be right to consider whether the question of giving pensions for short but distinguished services should or should not be entertained. In preparing this Bill the Government considered whether it was possible to frame a clause authorizing the Secretary of State to give pensions for distinguished services. It, however, appeared to them that it was not desirable to attempt to prepare such a clause. He respectfully suggested to the House that it would not be proper for it to confer upon an individual Minister of the Crown the power which it now wisely reserved to the Crown itself of rewarding individual services—apart from the length of the period during which they had been rendered—on the ground of distinction. He did not see his way to framing a clause, having that object, with such guards and provisions that it might safely be inserted in this Bill. It would be easy enough to have a special clause for any special case; but what had been suggested was that a general power should be granted to the Minister to select individuals and give them pensions for services which he considered distinguished. In Committee he should be prepared to give a fair and dispassionate consideration to any Amendments which might be proposed; but the Bill had been very carefully considered, and he recommended it to the House, not as a retrograde measure, but as a forward step towards elevating the character of one of the most distinguished and important services under the Crown.

Question put, and *agreed to.*

Bill read 2°.

Mr. BAILLIE COCHRANE said, he wished to ask the right hon. Gentleman to name the Committee before the holidays, or he was afraid the Bill would not be passed this Session.

Mr. CARDWELL said, he would put the Committee for Thursday, and he would then state what he intended to do with respect to it.

Bill *committed* for *Thursday.*

SUPPLY.—REPORT.

Resolutions [May 26] *reported.*

ROMAN CATHOLIC OATH BILL.

OBSERVATIONS.

Sir JOHN PAKINGTON: Sir, I wish to appeal to the right hon. Member for Limerick (Mr. Monsell) in regard to the Bill which, according to arrangement, he is to bring on at to-morrow morning's sitting. That arrangement was made, as he will recollect, at the request of my right hon. Friend the Member for Bucks (Mr. Disraeli). I am sorry to say that my right hon. Friend is now suffering from a severe attack of the gout, and that there is no possibility of his being in the House to-morrow. Under those circumstances, and as I know my right hon. Friend was desirous to express his views on this subject, I hope the right hon. Gentleman opposite will not object to postpone the further progress of his Bill to some future day. I would not ask for a long postponement; but, under the circumstances, I hope that the right hon. Gentleman will consent not to bring on his Bill to-morrow.

Mr. MONSELL: I am sure, Sir, there is nobody in this House more willing than myself to meet the reasonable wishes of the right hon. Member for Bucks. He always shows the greatest courtesy to every Member of this House, and everybody would desire to meet his wishes. It was communicated to me early this evening that the right hon. Gentleman desired that I should postpone this Bill. I replied that I should be most happy to meet the wishes of the right hon. Gentleman if he could assure me that he would be prepared to propose a clause enacting a common oath for all Members, which would contain none of those clauses which my Bill proposed to omit. It was quite obvious that no other course would meet with the assent of the majority of this House, and therefore any attempt to postpone the Bill except on that understanding would be perfectly useless. I stated further, what of course every one must acknowledge, that at this critical period of the Session to postpone the Bill without some such understanding as that would be to sacrifice the Bill. The right hon. Gentleman has informed me that he is not willing to agree to those conditions, and therefore, regretting most sincerely the absence of the right hon. Gentleman, I shall be obliged to proceed with the Bill to-morrow.

DOCKYARD EXTENSIONS.

OBSERVATIONS.

Sir MORTON PETO said, he wished to express his regret that in the new works contemplated in the dockyards the Government had not adopted the course which had been recommended to them by the Committee of which he had been a Member, as the most economical for completing them in the shortest possible time. Looking to the wants of our navy under the new system of the last few years, there was no country in a worse condition as regarded dockyard accommodation than ourselves, and he was quite sure that if the works had been left to competent contractors they might be executed in four years. As the right hon. Gentleman the Member for Tyrone had pointed out, we were now spending enormous sums in fortifications simply to protect these dockyards, and notwithstanding the objections of the Chancellor of the Exchequer to spend anything which was not raised out of the year's revenue, he could not understand why, if the money to make those fortifications was raised by terminable annuities, the money to make the public works which they were meant to protect should not be raised in the same way. He was quite sure that if his right hon. Friend could be made to understand that a saving of 20 or 25 per cent would be secured by the execution of these works within a period of four years, his acute mind would speedily adopt the course which he recommended.

Lord CLARENCE PAGET said, he could not hold out the smallest assurance that the Government would adopt the principle of carrying out these works by great loans. He could conceive nothing more extravagant than, when great works were proposed, to resort to a system which was only entertained in time of war. The greatest consideration had been given to the matter, and he believed that a period of five years would enable them to construct the works with the greatest ease. To shorten the period and to ask for larger annual Votes, in his opinion, would not lead to greater economy. With regard to the contracts, every security would be taken for their proper performance.

Sir JAMES ELPHINSTONE said, in reference to the debate which took place on a former evening, that he did not think it was right that the Secretary of the Admiralty should come down to instruct the House upon matters of finance. The Chancellor of the Exchequer took exception to a proposition which he had ventured to make, and applied to it the term "ignominious." But he remembered that in 1860 the right hon. Member (Mr. Horsman), in a very able speech, brought the subject of the defences of the country under the notice of the House, and it was notorious that the views of that right hon. Gentleman obtained the assent of Lord Herbert and of the noble Lord at the head of the Government. Whether those opinions met with the opposition of the right hon. Gentleman the Chancellor of the Exchequer he did not know, but certain it was that the proposition of terminable annuities was pushed on by the noble Lord at the head of the Government. It was, therefore, an extraordinary thing now to be told that a policy which had been laid down by the head of the Government in 1863 as the proper policy was an "ignominious" policy. He agreed with the hon. Member for Finsbury (Sir Morton Peto) that if docks were necessary for the navy, they should be constructed at once.

The CHANCELLOR of the EXCHEQUER said, that he replied to the hon. and gallant Baronet (Sir James Elphinstone) under protest, because he thought the reviving of debates was an inconvenient practice. The hon. Baronet complained of an epithet; which epithet, however, he had misunderstood in its application to the matter under discussion. The view of the hon. Baronet was that because in a certain case, for certain purposes, in a certain state of the public mind, at a certain stage of the public expenditure, and for certain objects which were supposed to be of urgency, it had been proposed to resort to the plan of terminable annuities, therefore the policy of executing public works upon that principle had been admitted. He protested against that doctrine, as it would lead necessarily to "ignominious" expedients, and he used that term without at all intending to apply it to the hon. and gallant Baronet, who, he was certain, would not propose anything which he thought could be liable to such an imputation. The plan of terminable annuities was resorted to in the instance referred to as an exceptional proceeding, and he had compared it with another case of a similar character—the emancipation of the slaves—in order to show that there were cases in which Parliament might go out of the ordinary course to create an exception according to the circumstances of the time. But that was no reason why all general rules should be broken down. If the rule were to be broken in one case, where were they to stop? The hon. Member for Stamford (Sir Stafford Northcote), whose absence he regretted on that occasion, made a vigorous speech, showing the danger attaching to such exceptional proceedings, even in extreme cases. Of course, it was a question of degree, but he contended that there was nothing in the present case to justify a departure from the ordinary rule. With regard to what had fallen from the hon. Member for Finsbury (Sir Morton Peto), he agreed that public works should be executed in the manner most convenient and advantageous to the country, and the question of applying the charge was a different question, to be settled upon its own merits. He (the Chancellor of the Exchequer) had never suggested that any charge should be reduced in order to reduce the expenditure of the year, and the question of expenditure by loans should be most jealously watched. The proposal to raise debentures for seven or eight years, instead of taking votes for the works in four years, took away much of the sting of the proposition to raise money by terminable annuities, and he did not object to it, except that it might be made the means of justifying other and looser politicians for departing more widely from the true principles of meeting the public expenditure from year to year.

Mr. CORRY said, the right hon. Gentleman the Chancellor of the Exchequer, who had called the proposal of his hon. Friend the Member for Portsmouth an ignominious expedient, had placed his justification for having given his sanction to identically the same course in 1860 on the ground of the exceptional financial circumstances of the time, but he did not recollect any such argument having been used in the course of the debates upon the Votes for fortifications. He had referred to the debate, and he found that the late Lord Herbert and Sir George Lewis took part in it, and neither of them regarded the question at issue as one of an exceptional character. The noble Lord at the head of the Government (Viscount Palmerston) was most precise in the language which he used on the subject, and justified the proposal made in the following words:—

> "In private life Parliament, by recent legislation, has empowered and encouraged individuals to raise money by loans, either from the Exchequer Bill Commissioners, or from private companies, for the purpose of effecting permanent improvements upon their landed property, spreading the repayment over a considerable period of time. Now, what is sound policy recognized by Parliament in the case of private individuals cannot be unwise or inexpedient as regards the greater and more important interests of the nation. By raising money by terminable annuities we should prevent that loan from becoming a permanent addition to the debt of this country."—[3 *Hansard*, clx. 21.]

That was in 1860, and upon a subsequent occasion, in 1862, when a Bill for raising a further portion of the loan was under discussion, the noble Lord said, in reply to some observations which were made by his hon. Friend the Member for Stamford—

> "He (Sir Stafford Northcote) objected to the plan because it throws upon posterity a burden which we ought to take upon ourselves. He reminds me of an answer given in the time of Mr. Pitt to somebody who was eulogizing the plan of a 'Sinking Fund,' on the ground that it would be relieving posterity from the burdens of the day. 'Why should we do so much for posterity? What has posterity ever done for us?' . . . The reason why I thought that the proper course was by loan was that these fortifications are permanent works made upon the freehold—they resemble permanent improvements made upon a man's estate, for which the owner is justified in charging those who come after him. He thought on the same principle that as those fortifications are permanent works it was fair to throw, on a certain period in advance, a burden which was too great to ask the House or the country to submit to in the current year."—[*See Hansard*, clxvii. 945.]

It was clear, therefore, that when the Government proposed to contract a terminable loan for the construction of the fortifications in 1860 they did so entirely on the ground of principle, and without reference to any exceptional circumstances whatever. He himself, however, quite agreed with the Chancellor of the Exchequer that it was a practice which should be resorted to only in rare instances and when great national interests were at stake. He did not think that the parallel the right hon. Gentleman had drawn between the dockyards and the Houses of Parliament was at all in point. It was one thing to charge posterity to some extent with the cost of works for the permanent defence of the country, and another to make it pay for our taste in mediæval decorations; and he was certain that every one having the slightest knowledge of the subject would agree with him that the extension of the dockyards was, at least, as important to the national defence as the fortifications which had been undertaken for their protection.

Mr. BENTINCK said, he did not think the arguments of the Chancellor of the Exchequer were of any force as opposed to the proposal of the hon. Baronet opposite (Sir Morton Peto) or to that of his hon. and gallant Friend the Member for Portsmouth (Sir James Elphinstone). No comparison could fairly be drawn between the two cases of the building of the Houses of Parliament and the construction of docks, which were intended for the security of the country. The real question was whether the proposed works were to be completed in four years at a smaller or fifteen years at a greater cost. The Government would, he thought, be incurring a grave responsibility by postponing for fifteen years the completion of works which they deemed to be essential for the national defence, especially when the delay was to be attended with an increased expenditure.

MR. CHILDERS said, the Government did not propose to spread the construction of those works which they looked upon as of essential importance over a period of fifteen years. On the contrary, all the essential portions of the scheme would be proceeded with as rapidly as was consistent with efficiency. The important works at Portsmouth, for instance, would, he hoped, be completed in five years, those in Chatham in four, at Cork in six, and at Malta in three years. The less urgent works would be constructed at a slower rate.

Resolutions *agreed to.*

ARMY—CASE OF LIEUTENANT COLONEL DAWKINS.

EXPLANATION.

MR. DARBY GRIFFITH said, he wished to correct a misapprehension which had arisen in the course of the debate on this subject. It had been represented that when Colonel Dawkins was put under arrest and allowed to come up to town he was at liberty to go where he liked and do as he liked.

MR. SPEAKER said, the hon. Gentleman was not at liberty to refer to speeches made in a former debate.

MR. DARBY GRIFFITH said, he would content himself then with reading the following lelter, which bore on the point:—

> "Ash Camp, June 26, 1860.
>
> "Sir,—I am directed by Colonel Steele, commanding Coldstream Guards, to inform you that you are to proceed to London and remain in your lodgings under arrest uutil you receive further communication.
>
> "I have the honour to be, Sir,
> "Your obedient servant,
> "F. G. STEPNEY,
> "Commanding Detachment Coldstream Guards."

He remained in his lodgings from the 26th of June until the 2nd of July, so it could not be said truly that he was at liberty to go where he pleased.

NAVY AND MARINES (WILLS) BILL.

On Motion of Lord CLARENCE PAGET, Bill to make better provision respecting Wills of Seamen and Marines of the Royal Navy and Marines, *ordered* to be brought in by Lord CLARENCE PAGET and Mr. CHILDERS.

Bill *presented,* and read 1°. [Bill 180.]

NAVY AND MARINES (PROPERTY OF DECEASED) BILL.

On Motion of Lord CLARENCE PAGET, Bill to regulate the disposal of money and effects under the control of the Admiralty, belonging to deceased Officers, Seamen, and Marines of the Royal Navy and Marines, and other persons, *ordered* to be brought in by Lord CLARENCE PAGET and Mr. CHILDERS.

Bill *presented,* and read 1°. [Bill 181.]

NAVAL AND MARINE PAY AND PENSIONS BILL.

On Motion of Lord CLARENCE PAGET, Bill for regulating the payment of Naval and Marine Pay and Pensions, *ordered* to be brought in by Lord CLARENCE PAGET and Mr. CHILDERS.

Bill *presented,* and read 1°. [Bill 182.]

COLONIAL MARRIAGES VALIDITY BILL.

On Motion of Mr. CHICHESTER FORTESCUE, Bill to remove doubts respecting the Validity of certain Marriages contracted in Her Majesty's Possessions Abroad, *ordered* to be brought in by Mr. CHICHESTER FORTESCUE and Mr. SECRETARY CARDWELL.

Bill *presented,* and read 1°. [Bill 183.]

COLONIAL LAWS VALIDITY BILL.

On Motion of Mr. CHICHESTER FORTESCUE, Bill to remove doubts as to the Validity of Colonial Laws, *ordered* to be brought in by Mr. CHICHESTER FORTESCUE and Mr. SECRETARY CARDWELL.

Bill *presented,* and read 1°. [Bill 184.]

KINGSTOWN HARBOUR.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to amend the Acts relating to the Harbour of Kingstown.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. PEEL and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented,* and read 1°. [Bill 85.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, May 30, 1865.

MINUTES.]—PUBLIC BILLS—*First Reading*—Inclosure (No. 2)* (135); Smoke Nuisances (Scotland) Acts Amendment * (136).

Second Reading—Commissioners of Supply Meetings (Scotland) * (118); Dogs Regulation (Ireland) (129).

Select Committee—Report—Sewage Utilization * (80).

Committee—Parsonages * (137).

Report — War Department Tramway (Devon)* [H.L.]; Clerical Subscription (132.)
Third Reading — Companies Workmens' Education (131); County Voters Registration* (116); County of Sussex* (114), and *passed*.

IMPRISONMENT OF BRITISH SUBJECTS IN ABYSSINIA.
QUESTION.

Lord CHELMSFORD said, he wished to put a Question to the noble Earl the Secretary of State for Foreign Affairs, of which he had given him notice, relative to the Abyssinian prisoners; and he was induced to do so in consequence of an article that had appeared in *The Pall Mall Gazette*, but principally in order that if possible the relatives of those unhappy persons might obtain some satisfactory or at least authentic information about them. The article to which he referred was published in *The Pall Mall Gazette* on the 25th May, and was in the following terms:—

> "We briefly announced yesterday that intelligence had been received from Massowah up to the 28th April. To-day we are enabled to give a few details respecting the unfortunate captives. These details are communicated in a letter from Mr. Fladd, at Gaffat, who writes very discouragingly of the present condition and prospects of the prisoners. It appears that King Theodorus, after experiencing a reverse in Shoa, came in haste to Magdala, procured reinforcements and guns, and returned to that country. While at Magdala he spoke harshly to the prisoners, and before leaving ordered a change for the worse in their treatment. Mr. Fladd's letter is dated March 16, and contains the following extract from a note addressed to him by Mr. Stern:—'As it appears that they have quite forgotten us in Europe, nothing remains for us but to prepare ourselves for the worst—a miserable death.'"

Under these circumstances he wished to ask the noble Earl, What was the date of the latest intelligence he had received from Abyssinia, and what was the account then given of the condition of the prisoners? He also wished to know whether Mr. Rassam still continued at Massowah, or contemplated returning to Aden; probably also the noble Earl would not object to inform him whether any steps had been taken to send any other mission for the purpose of approaching the Emperor; and, if so, whether it would be accompanied by any presents?

Earl RUSSELL was understood to say, that the latest accounts received from Abyssinia by Her Majesty's Government were up to the 28th April, when Mr. Rassam wrote that he had sent several messengers to the Emperor, and that the rumours of additional hardships imposed upon the prisoners did not appear to be well founded. At that date Mr. Rassam was still waiting to fulfil his mission.

Lord CHELMSFORD asked whether, if further information reached the Foreign Office, there would be any objection to communicate it?

Earl RUSSELL said, he would communicate the information, but not the source from whence it came.

DOGS REGULATION (IRELAND).
(No. 127.) SECOND READING.

The Earl of ST. GERMANS *moved* the second reading of this Bill, the object of which was to regulate the keeping of dogs and for the protection of sheep and other property in Ireland from dogs; this purpose the Bill proposed to accomplish by requiring the owner of any dog to take out a licence in the petty sessions of the district in which he may reside. The licence would be 2*s.* for each dog yearly; and there would be a further registration fee of 6*d.* The money arising from these fees was to be applied in the first instance to defray the cost and expenses of the Commissioners of Inland Revenue and the Registrar, and the surplus was to be handed over to the county or borough treasurer to be applied in aid of the borough and county rates. From the multitude of dogs in Ireland it was calculated that the licence would produce upwards of £20,000 annually, and as the expenses of working the Act would be very small, the relief to the cess-payers would be considerable.

Moved, "That the Bill be now read a second time."—(*The Lord Steward.*)

The Earl of CORK said, there could be no greater nuisance than that of dogs in Ireland, and therefore he approved the principle of this Bill; but, at the same time, he feared that what was everybody's business would in this case be found to be nobody's business. When a similar Bill was introduced on a former occasion, one of the clauses provided that inspectors and sub-inspectors of police should act as prosecutors in cases where dogs had not been duly registered, whereas this Bill merely enacted registration, but provided no means of enforcing penalties in case of neglect. He gave notice that when the Bill went into Committee he should move a clause giving power to the police to prosecute for non-registration.

Motion *agreed to.*

Bill read 2ª, and *committed* to a Committee of the Whole House on *Friday* next.

COMPANIES WORKMEN'S EDUCATION BILL — (No. 131.)

THIRD READING.

Order of the Day for the Third Reading read.

The Archbishop of YORK said, he desired to remove a misapprehension that prevailed in some quarters that the object of the Bill was to force Church education upon railway companies. That was a mistake. His whole contention was that railway companies were to receive nothing from that House beyond permission to do their duty, leaving it to them to decide in what manner they should perform it.

Bill read 3ª.

An Amendment made.

Bill *passed,* and sent to the Commons.

CLERICAL SUBSCRIPTION BILL. (No. 132.) REPORT.

Amendments *reported* (according to Order.)

Lord CHELMSFORD said, he wished to call attention to the last paragraph of the declaration to be made in reference to the use of the Book of Common Prayer. He objected to the words "none other, except so far as shall be ordered by lawful authority," and he would leave the declaration as it stood ending with the words, "In public prayer and administration of the Sacraments I will use the form in the same Book prescribed." This was a measure of peace, and he should very much regret that any dissension should be created by the insertion of words in the declaration which might arouse scruples. They would get rid of all difficulties by excluding the words to which he objected. He hoped the noble Earl would consider this matter before the third reading.

Earl GRANVILLE said, he should be very unwilling to make any change in the form of declaration as it had been framed by the Commissioners after due and careful consideratiion.

Lord CHELMSFORD said, he thought the words "lawful authority" required some definition. If there was any "lawful authority" his suggestion would not interfere with it.

Earl STANHOPE desired to point out that the words objected to were not intended to provide for any alteration in the ordinary Liturgy, but to meet such cases as thanksgivings and other special services. As the matter at present stood, some clergymen scrupled to use any prayers which were not provided in the Liturgy. The "lawful authority" was the Queen in Council, and there could be no real objection to the words.

The Earl of ELLENBOROUGH pointed out that the meaning of the latter portion of the declaration was in reality "except so far as shall be occasionally ordered by lawful authority."

Lord REDESDALE thought that the words "none other" were very important, and very necessary to be retained in the declaration.

The Archbishop of CANTERBURY said, that the words had been inserted in the declaration with the desire to afford relief to the consciences of some of the clergy, and that this would be done by the retention of the words. The declaration had been very carefully considered and framed by the Commissioners, and he hoped that their Lordships would not allow them to be rejected.

The LORD CHANCELLOR said, there could be no difficulty in acquiescing in these words, if their Lordships observed what was the existing "lawful authority." At present there was no lawful authority, except that of Parliament, to make any change in the Book of Common Prayer. But there was a lawful authority—namely, the Queen in Council, which could add to the Liturgy special prayers and thanksgivings for particular occasions. The exception objected to referred to this lawful authority. There could be no difficulty in allowing it to remain as a part of the declaration.

The Archbishop of YORK, as a Member of the Commission, desired to say that when the words were recommended by that body, the Commissioners believed that they were doing good service to many clergymen who at present were perplexed by scruples in regard to the use of special services. The Commissioners had certainly made no express mention of the power of the Queen in Council to add prayers to the Liturgy on special occasions; but they certainly expected, that when the subject should be considered by Parliament some attempt would be made to define the meaning of the words "lawful authority," or, at all events, to enumerate the cases which might be regarded as exceptions. Some such course might still be adopted, and the objections of the noble and learned Lord (Lord Chelmsford), for which there was some foundation, might then be removed.

LORD CHELMSFORD intimated that he should not press his objection at present, but would prefer that the matter should be further discussed on the third reading.

THE BISHOP OF OXFORD desired to draw attention to the ninth clause of the Bill, which appeared to him to be initiating a new feature in legislation, and which was not strictly mentioned in the Report of the Commissioners. Up to this time of the declarations and subscriptions made by the clergy, some rested upon the authority of Convocations with the assent and license of the Crown, and some rested upon the authority of Acts of Parliament. Generally speaking, the declarations rested upon the authority of Acts of Parliament, and the subscriptions upon canonical enactments of Convocations with the assent of the Crown. They were now trying to bring these two classes of enactments and these two authorities into one hand. But if this ninth clause should be agreed to, it would be a new limitation of the power of Convocations, and therefore he would propose, if Her Majesty's Government had no objection, to add the words "saving and excepting the rights of the Convocations of the two Provinces in any way." If, however, there were any real objection, he would not press his Amendment.

EARL GRANVILLE said, that the clause was framed in accordance with the recommendations of the Commissioners, and he hoped, therefore, that the right rev. Prelate would not press his Amendment.

Amendment (by Leave of the House) *withdrawn.*

THE BISHOP OF LLANDAFF desired to remind their Lordships that the Bill before them was substantially a measure of relief; and, as the noble Earl the President of the Council had described it, of peace and conciliation. He did not doubt that Her Majesty's Government, in advising the issuing of the Commission, had been influenced by the opinions expressed in the House of Commons and elsewhere as to the multiplicity of the oaths and subscriptions required to be taken. He concurred in the recommendations of the Report of the Commissioners, but regretted that on one important point deeply affecting the Church, though it was understood that considerable discussion had taken place on the point, no recommendation had been made by the Commissioners. He was anxious to know the reasons which had induced the Commissioners to leave untouched the present oath of supremacy. The words which he proposed to omit might be omitted on the ground that they were altogether unnecessary. By the very first word of the declaration proposed by this Bill every clergyman was required to declare his assent to the Thirty-nine Articles, and one of these was that the Bishop of Rome had no jurisdiction in the realm of England; and, therefore, he really and substantially assented to everything to which his assent was required by the oath of supremacy, only that the Article limited the matter to jurisdiction, whereas the oath of supremacy declared that no foreign prince, &c., had, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within the realm. Jurisdiction, he presumed, meant that which could be enforced in Courts of Law. But the very multiplicity of terms in the oath of supremacy created an objection. Now, he proposed to omit from the oath of supremacy the words relating to the spiritual jurisdiction of the Pope in this country. An oath ought not to convey to the person taking it that it expressed that which was false. Such oaths tended to sap the foundations of public morality, and to destroy eventually the security for which they were proposed. His objections to the oath were two—first, that it conveyed not only to scrupulous but to intelligent persons an impression that it stated what was not true; secondly, that its terms were not clear and unambiguous, as all terms in oaths ought to be. Of late years the alterations in the law affecting Roman Catholics had greatly altered the relation between them and Protestants—indeed, by the Act of 1829 this very oath of supremacy had been changed in favour of the Roman Catholics. It was on the assumption that the Pope had ecclesiastical jurisdiction that the Apostolical Letter had been issued portioning out England into different dioceses, followed by the letter of Cardinal

Wiseman. Now, the question was whether, when they came to consider the oaths, declarations, and subscriptions taken by the clergy, they ought not to take these facts into consideration. The question was whether, when doubts existed on the subject, it was not advisable to revise the oath, so as to remove these doubts, and make it clear what the Legislature intended. He did not wish to sweep away the oath altogether, but he proposed the omission from the clause "hath or ought to have any spiritual power or jurisdiction within this realm," of the words "hath or." These words had caused all the difficulty.

Earl GRANVILLE hoped the right rev. Prelate would not press his Amendment. No doubt scruples had been felt with regard to this oath. At the same time, authoritative declarations had been made by eminent Prelates and lawyers as to the mode in which this oath ought to be construed; and those declarations had been very generally received as satisfactory. It might deserve consideration whether the oath of supremacy should not be altered; but it was not desirable to change the oath of supremacy to be taken by the clergy, leaving the laity to take it as it stood. If altered at all it ought to be altered in a separate Act, applicable to everybody who took the oath. Again, it was desirable that this Bill should go down to the other House representing exactly the recommendations of the Royal Commission, and he appealed to the right rev. Prelate on these two grounds to withdraw his Amendment.

Lord ST. LEONARDS opposed the Amendment on much stronger grounds than those stated by the noble Earl. The right rev. Prelate proposed to strike out one or two apparently very innocent words; but they happened to be the very pith, marrow, and substance of the oath. They were levelled at all usurped authority, and were a positive denial that any foreign Prince had or ought to have any jurisdiction within this realm. Strike out the words "hath or" and you only put the case hypothetically, or as a matter of opinion, that no foreign Prince ought to have such jurisdiction. It was a settled matter of law, and did not rest upon supposition. When they saw the Pope claiming a right to exercise a jurisdiction in this country, as was the case when the kingdom was parcelled out, were they to sweep away the landmarks by which their liberties were conserved? Was it because the Pope's authority had been claimed or exercised here contrary to law, that they were no longer to declare on oath what the law actually was? The law declared, and all men were bound by it, that no foreign Prince, Power, or Potentate "hath or ought" to have any jurisdiction in this country, and by that declaration they should stand.

The Bishop of LLANDAFF said, he had been rather expressing the scruples of other persons than his own; but, knowing that those scruples existed, and that this Bill was intended for the relief of scrupulous consciences, he had felt it his duty to bring the subject forward. He hoped that some day or other the difficulties he had pointed out might be wholly removed, but meanwhile he should withdraw the Amendment.

Amendment (by Leave of the House) *withdrawn.*

The Bishop of WINCHESTER *moved* the insertion of a clause extending the operation of the Act to the Islands of Jersey, Guernsey, Alderney, and Sark, and to the Isle of Man, so as to render the subscription the same in all parts of the diocese.

Clause *agreed to.*

The Earl of POWIS asked in what position this Bill would place the colonial clergy? Would they be compellable to take the oaths which this Bill abolished? Their Lordships had seen from the recent judgment of the Judicial Committee how much doubt existed with regard to the position of the colonial Church, and it was desirable that no doubt should exist whether this Bill would apply to the clergy in the colonies.

The LORD CHANCELLOR said, it would require more time than he could spend, and perhaps greater effort than he could employ, to render the judgment of the Privy Council intelligible to the noble Earl. But the other question raised by him was more intelligible, and might be answered more easily. The Bill related to clergy ordained within the precincts of Great Britain and Ireland and the Channel Islands. It would have no application to clergymen in the colonies, unless they were ordained in this country.

Amendments made; Bill to be read 3ª on *Thursday* next; and to be *printed* as amended. (No. 138).

House adjourned at a quarter past
Seven o'clock, to Thursday
next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 30, 1865.

MINUTES.]—Select Committee — On Referees on Private Bills, *appointed* and *nominated* (*List of the Committee*); Leeds Bankruptcy Court Committee *appointed.*
Committee—Roman Catholic Oath * [86]—R.P.
Report—Liverpool Gunpowder Regulation, &c.*; Local Government Supplemental (No. 4) * [132].]

The House met at Twelve of the clock.

REFEREES ON PRIVATE BILLS.

NOMINATION OF COMMITTEE.

Colonel WILSON PATTEN said, it would be in the recollection of the House that at the end of last Session it was resolved by the House that a Court of Referees should be appointed for the investigation of Private Bills before those Bills went to a Select Committee. That step had been taken as an experiment, and they had now got so far into the present Session that they were called on to decide whether the system should be made permanent, submitted to further trial, or abolished. He therefore begged to move that a Select Committee be appointed to inquire into the operation of the Court of Referees on Private Bills.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the operation of the Court of Referees on Private Bills:"—Colonel Wilson Patten, Mr. Dodson, Mr. Milner Gibson, Mr. Lowe, Mr. Edward Pleydell Bouverie, Lord Robert Cecil, Lord Stanley, Mr. Ingham, Mr. Scholefield, Mr. Woodd, Mr. Bonham-Carter, Mr. Ennis, Mr. Thompson, Mr. Gathorne Hardy, and Sir John Shelley:—Five to be the quorum.—(*Colonel Wilson Patten.*)

ROMAN CATHOLIC OATH BILL—[Bill 86.]

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [19th May], "That Mr. Speaker do now leave the Chair."

Question again proposed, "That Mr. Speaker do now leave the Chair."

Debate *resumed.*

Mr. NEWDEGATE:* Sir, on the last occasion on which this Bill was before the House, I was unable, through indisposition, to offer to the House one or two observations, which I trust you will pardon me for now attempting to submit to your consideration. I heard and have carefully read through the only debate which has yet taken place on this measure, and I confess that, with the exception of the able speech of the right hon. and learned Gentleman the Member for the University of Dublin, it does not appear to me that any speaker entered into the subject-matter of this Bill with anything like the comprehensiveness which it deserves, or to have given the attention which is requisite to the due understanding of that, which is really a very wide question. It appeared to me that the House was about to proceed, and it still appears to me that the House is proceeding, upon the Motion of an individual Member of the House, and without any previous inquiry, to deal with an essential part of the Act of the 10th of George the Fourth, under the provisions of which Roman Catholics have been admitted to seats in this House, and to various, many of them, high offices in the State. Now, Sir, I regard this Bill as the first attempt which has been sanctioned by the House to make any grave and serious alteration in the compact, and I use the word advisedly, the compact of 1829. I know that attempts have been made to dispute the fact that the measure of 1829 was a compact. Sir, that Act was a complement to the Act of Union, and any man who will take the trouble of searching the records of this House and of the House of Lords will find that that Act was preceded by careful inquiries both in 1825 and 1826, in the latter year especially, and that the whole subject-matter of the relations of Roman Catholics to the Papacy and to the Government of this country were fully investigated. The Act, therefore, which you are now asked to disturb was based upon an elaborate inquiry, though I am sorry to say that the anticipations which were based upon the results of that inquiry have, to a great extent, been falsified by subsequent experience. Still, there was inquiry, grave inquiry, before that Act was passed; and I conceive that it is the duty of this House again to institute an inquiry before it proceeds to infringe that Act. Two Committees have since been appointed to consider the oaths taken by Members of this House. I have looked through the Reports and proceedings of both; one of them sat in 1850 and the other in 1858; but neither of them went into the subject-matter of this particular oath, for it appears to have been assumed, that so strong was the feeling of the House not to permit any alteration in this oath, that inquiry would have been useless. And I beg to refer the right hon. Baronet the Home Secretary, and I beg to refer other Members of the House to the proceedings of those Committees, where they will find that, although a careful inquiry was instituted into the subject-matter of the oaths taken by Protestants, which were altered by the Act of 1858, there was no inquiry—at least, no adequate inquiry—into the substance of this oath, or as to the manner in which it ought to be altered. It appears to me, then, that the House is proceeding carelessly in this matter, and, if I wanted proof of that, I think the notice paper of to-day supplies it. Every one feels that this is a subject which ought to have been dealt with upon the responsibility of the Government, that is, supposing any change to be necessary. The Government invite us to go into Committee on this Bill, yet there is not a single notice on the paper that gives us the slightest indication of the nature of the alterations in the oath, which the Government are disposed to sanction, or of the portions of the Bill which they would wish us to reject. Nevertheless we have had an announcement from the right hon. Gentleman the Home Secretary, that he is not prepared to go the whole length of the Bill. I feel, therefore, that I am justified in resisting the further progress of the Bill until the Government have done us the grace and favour of acquainting us in some formal manner what course they really mean to adopt, when they get into Committee. The House will forgive me if I endeavour to justify in some measure the assertion I have made, that there is an apparent carelessness in the proceedings in this matter. The object of this Bill has been proposed before in this House. In the year 1857 Mr. Deasy proposed an alteration of the oath taken by Roman Catholics. That proposal was to adopt the oath, which was then suggested for the admission of the Jews, as more convenient for Roman Catholics. And what was the determination manifested by the House on that occasion? What was the decision of the House? On the 15th of April, 1857, there were present in the House 456 Members. Those who objected to the proposal of Mr. Deasy were 373, and those who supported his Motion for an alteration of the oath were 83, so that there was a clear majority of 290 against the alteration of this oath. Again, in the year 1858, it was proposed by the hon. Member for Kildare (Mr. Cogan) that an alteration of the oath should be made. I will not go into the particulars; but to a certain extent the object was the same as that of the present Bill. The number present in the House, and who voted on that occasion, were 411 Members; those who opposed the proposal to alter the oath were 373; those who sanctioned the proposal to alter the oath were 66: thus, there was a clear majority against any alteration of 279. Now, we come to the year 1865, and with no apparent change of circumstances to justify an alteration, or rather when many circumstances have occurred that should forbid our tampering with the oath at the present time, occurring not only in this country but throughout the Continent, we find that in a House of 328 Members the second reading of this Bill was carried by a majority of 56. The House will forgive me if I say that this change of opinion does not appear to have been the result of any inquiry that has brought to light circumstances that have occurred between the year 1858 and the present year, such as to justify Parliament in making the alterations in the oath that are proposed by the right hon. Gentleman the Member for Limerick. And, Sir, I may further be permitted to say that I think this proposal would have come with better grace from any other Member of this House than from one who belongs to the Roman Catholic persuasion. The oath now sought to be disposed of is the record of a compact, of an act of good-will on the part of the Protestants of the United Kingdom towards their Roman Catholic fellow-subjects. And I think that, after that manifestation of good-will, after the continual removal of everything in the sense of penal legislation which has marked our era, the Roman Catholic Members of this House would have appeared before it with a better grace had they committed their case and this proposal to some Protestant Member of the House, instead of coming here and claiming in their own persons that the engagements under which they have entered and sat in this House should be cancelled—cancelled, and that on their own suggestion. I have said that there are particular circumstances at this time which I think do not invite us to tamper with this oath. Let the House, moreover, remember that one of the bitterest sneers which have been directed against the House for its conduct of late years has been, that the House of Commons conducts itself like a rich man's club; that hon. Members consult their own convenience; that they are anxious to relieve themselves of whatever binds them to inconvenient duties; that, in short, they appear to forget, to a certain extent, the high functions of the House, that it holds a large share of the Imperial power of the country; and that every Member of the House has hitherto entered upon his duties, bound by the obligation of an oath, reciting in the most solemn form the conditions of the allegiance, which, as a free people, we tender to a constitutional Sovereign. Before I go further into the matter of the oath, I wish to show that, in the interim between the year 1858, when the last alteration in the oaths was made, and the present time, there has been a temper manifested among certain Roman Catholic ecclesiastics and others which ought to warn us against relieving their representatives from reciting at that table their abjuration of some of those vicious doctrines which, whether accepted by the great body of the Roman Catholics or not—and, I thank God, I believe they never were accepted by the great body of the Roman Catholics of this country—were in former years, and are still propagated, especially by the Jesuits under the sanction of the Papacy, and have led to repeated attempts upon the lives of Sovereigns, as well as to an attempt to destroy the Legislature, and fostering a spirit which has rendered necessary for long periods the imposition upon the Roman Catholic body of a penal legislation, which could by no other cause have been justified than by the existence of that malignant spirit. When hon. Members tell me that they are insulted, because they are asked to repudiate at that table those vicious doctrines, I say, that all we invite them to do is to assure us that they come here to act in the same spirit as that which influences the great body of the Roman Catholics of Italy, to act in the same spirit as that which influences the great body of the Roman Catholics of France, to act in the same spirit which guided the Roman Catholics of Spain when they rejected from their properties in that country and from the country itself the propagators of those vicious doctrines. For my part I cannot understand how any hon. Member of this House should consider it an insult to be required to declare, upon his entrance into it, that he repudiates doctrines which were at one time repudiated by the Papacy itself; which have been repudiated at different times by every Roman Catholic Government in the world; which have been repudiated by all those members of the Roman Catholic Church whose conduct commends itself to the respect and admiration of Christians throughout the world, to whatever denomination they may belong. I feel, therefore, that I am not desiring to perpetuate an insult. I merely ask the Roman Catholic Members of the House to assure us at the table that they will act in the same sense as their Roman Catholic ancestors, who continually repressed the approaches of this vicious spirit, even in the Roman Catholic times previous to the Reformation; who, when attempts were made upon the life of Queen Elizabeth, petitioned the Pope to withdraw his emissaries, who were bringing them into odium among their fellow-countrymen. I ask them to act in the spirit of those loyal Roman Catholics, who, throughout all the troubles of the Stuart reign, manifested at once their attachment to their country and their attachment to the freedom, which it guarantees, in opposition to those base, those cruel, those deceitful councils which—I say it advisedly—brought Charles the First to the miserable death which he suffered; which prompted this nation to the commission of that crime, and which, as the whole world knows, induced James the Second to adopt a policy, that was as insufferable to the people of this country as the policy of the Neapolitan Bourbons has proved to the people of Southern Italy; these Sovereigns were all actuated by the same Jesuitical advice, and were detested by their people in consequence of adopting that policy. Sir John Gray, a leading politican in Dublin, asked, in a recent speech, this question—Can any one show that any section of Roman Catholic people has ever brought a sovereign to his grave? Can any one show that any section of Roman Catholic people has ever caused the deposition of a sovereign? Well, let any man, who is at all conversant with the history of this country, turn to the troubled period which preceded the death of Charles the First, and inform himself who were the advisers of that king, and who exercised influence over him through his unhappy queen. Let him inform himself, also, who were the advisers of James the Second. Who but the Jesuits? James the Second died a Jesuit in exile, and with characteristic gratitude the Jesuits proclaimed him a fool! I feel bound to recall these events to the recollection of the House, because, unless the promoters of this Bill can show that the opinions, against which the clauses of the oath, which it is now sought to expunge, are directed, have ceased to be operative, unless they can show that they are repudiated by the Papacy, I say there is no case made out why this House should not require its Roman Catholic Members to disavow the opinion, that the Pope possesses the power to depose excommunicated sovereigns, the right to raise their subjects in insurrection against them, and the right to compass the death of such sovereigns. Why, Sir, look at the recent history of Poland. Will any man deny, now that the trials have taken place, that passions are calmed, and that full information is in the hands of the Russian Government—will any man deny, I say, that the late bloody insurrection in Poland, that the murders in Poland, which were perpetrated by the so-called National Government, and that the use of poisoned weapons were not the work of the Ultramontane faction? No man can pretend to say that these outrages have not received countenance and support from the Papal Chair. Will any man deny these facts? And unless he can do so, he cannot show that the vicious opinions against which the clauses of this oath are directed have ceased to exist or have ceased to operate throughout Europe; and, if they are found to be in operation in various parts of Europe, there is nothing to prove that they may not also have operation here. No man can have watched the course of proceedings in Ireland of late years — the repeated attempts at agitation, and the frequent use of seditious language—without seeing that among a minority of the Roman Catholic body, and I thank God that they are a minority, the virus still exists, which the oath we are called upon to abandon requires the Roman Catholic Members of this House to promise that they will discourage and repress. Sir, the repression of those vile opinions is, I should have thought, a task, of which all loyal Roman Catholics ought to be proud, instead of regarding it as an insult, that they are called upon to undertake such an engagement to their fellow-countrymen. [" Hear, hear!"] I repeat it. I say that the repression of these opinions is essential to the freedom of the Roman Catholic body itself, for these opinions meet with too much favour at Rome. Look at the pamphlet which has but recently been published by the Duke de Persigny. In it the writer declares there is a party now dominant at Rome, who are bitterly adverse to the form of Government existing in France, who condemn all forms of Government that are not subject to the immediate control and influence of the Papacy, as revolutionary. That is the spirit which is at this moment shedding blood by assassination; and if that spirit has too much influence at present in the Papal Court, then, Sir, I say that it is not for the freedom of our Roman Catholic fellow-subjects that we should remove the counteracting influence of the State under which they live, or accept them here otherwise than as the declared opponents of those Jesuit opinions and of that Ultramontane virus which, we learn from the Duke de Persigny and from every reliable source, is now dominant at Rome.

Sir, I hope the Liberal Members of this House will excuse me if I show them that it is not so very long since there was an admission on the part of a very influential organ of public opinion that, instead of recent events justifying the abandonment of this last security, there is great doubt, whether with a view to the real freedom of our Roman Catholic fellow-subjects, we have not already gone too far in removing those restrictions upon their action, which are, in fact, a protection to them against influences that we cannot wish to see extended, and which are brought to bear upon them by any extreme section of their Church. The House will forgive me for dwelling a little upon this point. I do not venture to make assertions without proof, and in this matter I speak the opinions of those who cannot be accused of bigotry or prejudice. I know it has been the fashion in former times to say that I was actuated by a bigoted and intolerant spirit. I am happy to say, and I rejoice in the fact, that that impression is worn out, and that the Roman Catholic Members of this House, though I do not expect them to avow it, recognize this fact in me, that if I am what is called a strong Protestant, it is because I am a determined Catholic. It is because I am Catholic by conviction and by faith; it is because I would resist that spirit which has corrupted and defaced the Church of Rome; it is because I would resist that which I consider heretical, schismatical, and corrupt, that I take the part I am now taking in defending the Constitution of this country, which, though called by the name of Protestant, is still founded on those Catholic principles which were developed in Magna Charta, and found expression in the ancient laws of Richard the Second, vindicating for the Roman Catholics of this country the right to regulate their own Church and their own religious worship, accepting only the spiritual advice and counsel of the Papacy, but rejecting every attempt to enforce upon them the temporal usurpation of the Roman See. But I was about to quote a passage from the leading organ of Liberal opinion to which I have referred. It was written so recently as the year 1859, and it says—

> "It is only due to the memory of men who underwent much obloquy for the time, and were even treated with a peculiar and galling kind of contempt, not usual in English political warfare, to ask ourselves, after an experience of just thirty years, which side was in the right? Have the results [that is to say, the results of the Act which you are now asked to alter—the Act of 1829] been in accordance with the sanguine anticipations of Canning, of Macintosh, of Grey, and of Brougham; or has the measure turned out as was predicted by Lord Eldon, 'that hater of all that was liberal and pleasant,' and by Lord Winchilsea, at whose tirades we have all laughed so heartily? There is, unhappily, no doubt about it; the genius, the liberality, and the eloquence were wrong; the narrowness, the bigotry, and the prejudice were right. Ever since the day of deliverance, the conduct of the Roman Catholics has more and more confirmed the predictions of their enemies, more and more disappointed the anticipations of their friends."

Now, I hold that statement to be unjust towards the great body of Roman Catholics, though not unjust to the Jesuit faction, against whom it is specially directed. But to continue the passage. The writer proceeds—

> "Let any one read the speech of Dr. Moriarty, at Killarney, or the disgraceful scene which occurred at the meeting in Cork (that was in 1859), and then ask himself whether such things are the result of British institutions, and whether he can recognize in them any one of those characteristics which, in spite of all their political differences, distinguish Englishmen from the rest of mankind. Where but in a Roman Catholic meeting, presided over by a bishop and harangued by deans and canons, could the name of the Queen be received with a burst of disapprobation, which rendered the speaker inaudible, from the very voices which yelled out a determination to fight for the Pope? From whom but a Roman Catholic Bishop could one hear it laid down, that it was the duty of a constituency in these islands to exercise their influence on their representatives in order to induce the Government of this country to put down a rebellion in a foreign State, not on any ground of public policy, in which the interests of England are concerned, but only because that tyrannical Sovereign was the head of their Church, and they had, therefore, a vested interest in perpetuating his tyranny and corruption? There is no divided allegiance, as was apprehended. The allegiance is wholly given to one person, and nothing is left for the Queen but yells of disapprobation and the accusation of having starved two millions of Her subjects."

Non hœc mea verba: this is the language used by *The Times*, a paper that is accepted by the Liberal party as above all the most able and most powerful exponent of their opinions. Now, Sir, we ought to be cautious, to look about us in this debate, unless some previous inquiry be instituted, such as was preliminary to the passing of the Act which we are now asked to alter—I say we must look a little into the circumstances of the Roman Catholic body in England. The late ecclesiastical chief of that body, Cardinal Wiseman, is no more. And by whom has he been succeeded? By the Rev. Dr. Manning. And what have been the characteristics of that reverend person? Has he shown himself to be a Roman Catholic of moderate opinions? Once a clergyman of the Church of England, do his opinions seem to be of a temperate character? So far from that, it seems to have become rather a maxim at Rome, that those who have been most recently converted to her communion are of all her sons the most zealous and the most extravagant in the opinions they profess. I wish, Sir, to show the House what is the nature of the opinions with which Dr. Manning has favoured the public, and that within no distant period. The House will excuse me if I read a very short passage written by Dr. Manning, and which appeared in *The Tablet*, a Roman Catholic newspaper, on the 6th of August, 1859. He says—

> "If ever there was a land in which work is to be done, and perhaps much to suffer [speaking of those with whom he intended to act], it is here. I shall not say too much if I say that we have to subjugate and subdue, to conquer, and to rule an Imperial race. We have to do with a will, which reigns throughout the world, as the will of old Rome reigned once. We have to bend or break that will, which nations and kingdoms have found invincible and inflexible."

Mark this passage—

> "Were heresy conquered in England, it would be conquered throughout the world. All its lines meet here, and therefore the Church of God [meaning the Papal Church] must be gathered in its strength."

I ask the House to consider the meaning and purport of those words. I will, moreover, show the House that on the 18th of August last, in the county which I have the honour to represent, Dr. Manning preached a sermon, at the opening of a church at Leamington, which was thoroughly in accordance with the opinions enunciated in the passage I have just read. In Warwickshire we were very much struck with that sermon. The substance of it was published in *The Leamington Courier* and other newspapers, and its accuracy has never been disputed, although it was freely and extensively commented upon by the local journals. I must, therefore, assume that the words which I am about to quote were really spoken by Dr. Manning. He had been speaking of the Church of which he is a member, and of that which, in his opinion, should be required of Roman Catholics as matter of faith. He says—

> "The Church of God was of Divine creation, rested on Divine rules; and [mark the concluding words of the sentence] was administered by Divine persons."

Now, that word "Divine" is capable of a double interpretation, but I will give Dr. Manning's own interpretation of it—

> "The doctrine of faith, of the Immaculate Conception, of the eternal Word, of eternal life, and of eternal death, were truths which surpassed human conception, and could only be received by Divine faith and teaching. It might be said, can this be the simple doctrine of Christianity? And [continued Dr. Manning] they were to believe it, and to believe that the teacher who delivered those doctrines was God, and that his voice was divine."

Now, I ask, whether these are not the extreme opinions with regard to religious truth, upon which have been founded those mischievous assumptions, of which the Jesuits have always been the exponents in matters temporal and civil; and whether those words in the sermon delivered last year, coupled with the expressions used by Dr. Manning and published in 1859, do not give us reason to believe that many of the moderate Roman Catholics, many of the old English Roman Catholics, such as the late Duke of Norfolk, the grandfather of the present Duke, and the late Lord Beaumont, whose friendship, I am happy to say, I always enjoyed—are justified in the feelings of uneasiness, which I am told they entertain (I speak only from rumour) at the appointment of Dr. Manning to the supreme control of matters ecclesiastical, connected with their Church; knowing, as we do, from the recent Encyclical issued by the Pope, that this ecclesiastical control, as it is called, at Rome is intended to extend from the spiritual sphere to direct interference with the arrangements of property and with the conduct of politics, until, in Dr. Manning's words, this "Imperial race," the free people of England, have been "subjugated and subdued" to the rule of the Papacy, which it is the avowed object of Dr. Manning to establish in this country? I ask any hon. Member, then, whether, carrying our eye back through history, and finding in the terms of this oath a record of the means by which our Roman Catholic as well as our Protestant ancestors deemed it necessary to guard the freedom of both communions from century to century against the encroachments of the Papacy—I ask those who do not pretend to be ignorant of these historical facts, whether they think it unreasonable in us to object to proceeding with the alteration of this oath, until, as was the case when the oath of the Protestant Members was altered in 1858, some preliminary inquiry has been instituted either by the Government or by a Committee of this House, or of the other House of Parliament, into the present circumstances of the Roman Catholic body in this country, as those circumstances are affected by the recent attempts to organize the English and the Irish Roman Catholics, as a separate community, governed by a hierarchy, nominated and appointed from Rome; into the circumstances of the Roman Catholics, as affected by recent occurrences on the Continent, and by the character of those who pretend to be placed in authority over them in Ireland and in England? I have heard it said, and I have seen it written, that the increase in this country of the monastic orders of the Church of Rome, to which I not long since drew the attention of the House, is a matter which is totally irrelevant to the subject now under consideration. ["Hear, hear!" from Irish Members.]—Well, some hon. Members appear to think so. But I cannot treat the Act of 1829—10 *Geo.* IV.—otherwise than as a whole. Now, that Act contains the oath which it is proposed to alter by this Bill. It also contains clauses restricting the monastic orders. But it has been said, "Oh, these were mere concessions to the crotchets and prejudices of the age." In his speech delivered at Dublin, Sir John Gray especially said that those clauses, restrictive of the monastic orders, were painful to the great mind of the late Sir Robert Peel, and unworthy of the extensive Continental knowledge of the late Duke of Wellington, and that they were miserable concessions to a wretched bigotry, which these great men were obliged to make in order to conciliate the ignorance of their benighted followers. Let us see how far this representation is true? With the permission of the House I will read a few words from the speech of the Duke of Wellington, in introducing the clauses with respect to the monastic orders on the 20th of April, 1829. The Duke said—

> "The measure which I now propose for your Lordships' adoption will prevent the increase of such establishments [meaning monastic institutions], and, without oppression to any individuals, without injury to any body of men, will gradually put an end to those which have been already formed. There is no man more convinced than I am of the absolute necessity of carrying into execution that part of the present measure [that is, the Act of 1829], which has for its object the extinction of monastic orders in this country. I entertain no doubts whatever that if that part of the measure be not carried into execution, your lordships will soon see this country and Ireland inundated by Jesuits and regular monastic clergy, with means to establish themselves within His Majesty's dominions."

Thus, Sir, the result of the experience of the Duke of Wellington, so long versed in Continental matters, led him to guard against the action of this avowedly Papal agency by the introduction of clauses in the Act of 1829. Evidently he did not contemplate the increase of the monastic orders in England and Ireland, as likely to conduce to the happiness of the Roman Catholic body, to their freedom, or to the welfare of society; and if the House has not forgotten the historical and other evidence, which it permitted me to adduce with regard to the increase and action of those orders and of these establishments within the United Kingdom, I think it will agree with me that that increase has within the last few years been ominous. Is not this a circumstance, then, which should make you cautious how you part with the safeguards against the abuse of that Papal power, which it is notoriously the primary function of those regular orders of the Church of Rome to enforce? Why, every man who knows anything of the history of the Jesuits knows, that their order was especially formed to establish, to extend, and to enforce the temporal power of the Pope. It was but the other day that I was reading in *Burnet* the account of their early appearance in this country. Just before the persecutions in the reign of Philip and Mary, the Jesuits came to Cardinal Pole, an ecclesiastic of whom I shall ever speak with respect; for I believe that if it had rested with Cardinal Pole the faggots would not have flamed in Smithfield and throughout the country, as they did. And I am sure of this, that he stretched his powers in order to ratify the settlement of property in this country—that settlement of property which you would relieve the Roman Catholic Members of this House from engaging to defend. He exceeded his powers; he actually went beyond the Brief, under which he held authority from the Pope, in order to facilitate the settlement of property in this country. But, as I said, the Jesuits came to him and tendered their services in an opposite sense; and Cardinal Pole—I speak from Dr. Burnet's history, but I might quote other authorities if necessary — rejected their assistance. He seemed to think of that body as did Dr. Brown, the Roman Catholic Bishop of Dublin, in 1551, that they promised to be an element of disturbance in every country where they might obtain establishment. And I appeal to the page of history—I appeal to the modern history of Europe—whether the judgment, formed by these Roman Catholic ecclesiastics, with regard to the Jesuit Order, has not been verified to the letter? And let the House remember it is against the doctrines especially propagated by that Order, that the terms of the oath are directed, which the House is now asked to expunge, and this in the teeth of a fact, which is notorious, that, after not venturing to appear in public for about two centuries, these agents of the Papacy now proclaim their presence in this country through the public prints, and advertize in the services of their churches; take an active part, as far as they dare, and as far as the English people will permit them, in every political arrangement, in every civil establishment, and—this is a characteristic of the Order—in every domestic establishment into which they can, by hook or by crook, thrust themselves, for the purpose of carrying out the spirit which found a voice in the passage from the writings of Dr. Manning, in 1859, that I have quoted to the House. I hope the House will forgive me for speaking at some length, but the subject is a very wide one. The fact is this: the liberality of this House has removed almost every restriction from the Roman Catholics, until, in the terms of this oath, remains the only valid security still existing for the Constitution of this country. I wish hon.

Members would consider for a moment what is the meaning of an oath taken at this table. An oath is valuable as a security for the veracity of a witness, a guarantee for the fidelity of an officer, who undertakes certain functions, and for the conduct of trustees, inasmuch as it brings to bear upon the mind apprehensions of the wrath of the Deity, if the juror violates his engagement. That is the operation of an oath upon the conscience. And further, an oath is valuable in the case of a witness, inasmuch as, in addition to the apprehensions of conscience, which might be excited by a violation of the engagement, it imports the penalties of perjury. But I set aside these two elements, its operation upon the conscience of the juror, and the penalties on perjury in this case, and I still trust to the power of publicity; I still believe that every Member who takes this oath does so with the intention to abide by the conditions of that oath; but whether he does, or whether he does not, he publicly, and as a representative, by the terms of that oath, abjures the deposing power of the Pope, and binds himself to defend the settlement of property, including the quondam ecclesiastical and monastic property, the title to which, remember, the Papacy has never confirmed. I have here a curious original paper which I have compared with Burnet's History, and I find that though Cardinal Pole engaged that the Papacy should ratify the settlement of property under Philip and Mary, the Papacy never did ratify it. The Pope Julius, who accredited Cardinal Pole, died. So did his successor, Marcellus; and the next Pope plainly declared to the Ambassador of Philip and Mary, that to sanction the title to property, which had once belonged to monastic establishments, was contrary to his oath; and, so far from sanctioning the alienation made by the Parliament of this country, he declared it to be sacrilegious, and he required from the Ambassador of our bigoted Queen an acknowledgment that she held Ireland in fief from the Papacy. You may tell me that it does not matter whether the Pope has sanctioned the title to this property or not—the property held by the great house of Bedford, property held by myself, property distributed throughout the whole country, and amounting to nearly one-fourth of the whole property of England; you may tell me that it does not matter. The right hon. Gentleman the Member for Limerick says, "What is the use of an oath to defend the settlement, under which we Roman Catholics hold property in Ireland?" Sir, I will show him what may be the danger of removing this oath. I have here some curious letters, which I found among some old pamphlets and printed letters in my library, and from which Bishop Burnet evidently derived his information in writing his chapter on the History of 1555. The writer of these letters and Bishop Burnet both declare that it might matter little to a Protestant owner whether the Papacy had confirmed the title to his lands or not; but to a Roman Catholic family it matters very much, because the Papacy maintains, and I see by his recent Encyclical that the present Pope still maintains, that the tenure is sacrilegious. And whenever the owner and possessor of that property is drawing near to the close of life, when the breath comes hard, when the eyes are dim, and the passage between the present and future state is but a short span, why, the priest will be apt to remind him, "During your whole life you have held property in sacrilege," and then will ask him, "Will you not make some restitution?" And, Sir, it was the apprehension of this that actuated the Parliament of Queen Mary—the very Parliament which consented to the reconciliation of this country to the Papacy—in passing a stringent Act which, in defiance of all Papal claims, established, so far as the power of this country could, the title to property thus alienated from the monastic orders. But has the Papacy ever consented to this alienation? Produce your proof. You cannot. There has been no such consent; and every Roman Catholic possessor of such property is liable to be disturbed, and the best security he can have is this, that the Roman Catholic Members of this House shall, in the name of the constituencies they represent, declare at this table that they adhere to the decision of the Roman Catholic Parliament of Queen Mary, that this property is duly settled, and settled against the pretensions of the Papacy, pretensions which have never been abandoned.

Sir, I am fully conscious that others will follow me in this debate who will argue with more ability the propriety of continuing the recognition of that portion of the compact of 1829 which secures the establishment of the Church of England in Ireland and in this country. I see no reason, there has been no valid cause shown, why the Roman Catholic Members of this House should ask to be relieved from that obligation. Do they desire to uproot the Church establishment in Ireland? At present they stand as Members of this House pledged not to compass such an object. But do they not know that there is a considerable body, forming an association in Ireland for the purpose of effecting the dis-establishment of that Church? Why, Sir John Gray, who made the speech in Dublin to which I have before adverted, is a member of that very association. Do hon. Members not know that the Pope, in his recent Encyclical, has formally declared his condemnation of the 37th proposition of the Syllabus, that any Church can be held to be duly established which is separated from the See of Rome? Do hon. Members not know that that is the last version of the Papal doctrine? And if they do know it, why do Roman Catholic Members ask the House to relieve them from the obligation of declaring at this table that they accept their seats here on the understanding that they will not be the exponents of that doctrine in this House, or use their influence for the purpose of disturbing the established institutions of the country? I ask them why do they desire to be relieved? We all know that the assault is contemplated by a certain faction among the Roman Catholics, joined, I am sorry to say, with some Protestants, who have no great attachment to the form of government under which they live. Well, if you have no intention of countenancing this movement, you ought to feel a relief in the fact that you sit in this House on the condition of having solemnly asseverated that you will not take any part in this House in what, I must say, under the circumstances, is an unworthy enterprize. Why, it is for your own freedom that you recognize this compact with the State. I hold this, because I judge from the state of Italy, I judge from the correspondence which has taken place with France, I judge from the actions of the Emperor of the French himself, that, in the present temper of the Papacy, the great body of Roman Catholics must look to the authority of the States, within whose dominions they live, for protection against those who would force them into the adoption of opinions which, I am happy to believe, are alien to their better judgment. I now, Sir, venture to move the postponement of the further consideration of this Bill until some inquiry has been made into the circumstances to which I have alluded; until some such inquiry has been instituted, as that which preceded the alteration of the other oath in 1858, and until we have upon the notice paper of the House some definite proposals from Her Majesty's Government, showing to what extent they are prepared to sanction the provisions of this Bill; and I make this proposal for delay with the full consciousness that I am performing my duty, because I believe that it is the general opinion of the House—an opinion in which I fully share—that no men who deserve to be treated as Her Majesty's Ministers, no Government purporting to serve Her Majesty, ought lightly or carelessly to promote a Bill, affecting the terms of allegiance upon which certain Members of this House are admitted to their seats. It is, I repeat, contrary to the duty of the advisers of Her Majesty to permit any such alteration to be made except by themselves, or, at all events, until they have had the decency to show that the subject has received their deep and earnest consideration?

Mr. TREHERNE seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Newdegate,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. GREGORY said, he was extremely puzzled to know what Dr. Manning's appointment, the sermons which he had preached, or the extension of monastic institutions, had to do with the repeal of the oath under discussion; and equally at a loss to understand what argument had been adduced which could induce a hundred hon. Gentlemen on the other side of the House —twelve of whom were Members of the late Government, and many of whom were Irish representatives—to go out into the lobby in opposition to a measure of the commonest decency and justice. It would be illiberal and unjust to attribute the opposition to the Bill to anything resembling the spirit of the Pharisee; to a desire for superiority of caste; to a feeling of great thankfulness to Providence that we were not as other men are, that we do not require special oaths to enforce our loyalty;

and that we are not obnoxious to the stigma of evasions and mental reservations. He was ready to admit that his hon. Friend who had just spoken, and those who agreed with him, might, and probably did, honestly entertain the belief that the repeal of the present Roman Catholic oath would tend to subvert the rule of Her Gracious Majesty, to the restoration of the Papal domination in this country, the re-distribution of forfeited estates, and to the overthrow of the Protestant Establishment and religion in this country. That appeared to be the prevalent idea in the minds of some. But was it, he would ask, justified by experience? Was it not, on the contrary, the fact that every restriction removed had turned out to be an element of strength rather than of weakness to the Church? Had the Irish and Church Temporalities Acts Tithe of 1832, or the Bill doing away with Ministers' Money in 1858, operated to the injury of the Church? Are the English Dissenters more inflamed with rancour against the Church since tests have been abolished and other concessions granted, every one of which at the time, according to the opponents of relaxations, involved the Church of England in ruin. Nothing of the kind. The pages of *Hansard* were the best proof, and nothing could be more striking than the increased tone of gentleness and respect manifested towards the Church, precisely in the ratio of those concessions being granted which the self-styled friends of the Church pronounced to be the sentence of her overthrow. His hon. Friend the Member for North Warwickshire would have Roman Catholics still called upon to declare that they renounced the doctrine that princes excommunicated by the Pope might be dethroned and murdered by their subjects. Now upon that point the Chancellor of the Exchequer had, upon a former occasion, when the subject was discussed in that House, used a few words which he thought were most apposite. The right hon. Gentleman said it seemed to him very extraordinary to ask any man to say that he thinks anyone should not be murdered. It was absurd, and more than absurd, it was contumelious, asking a man to declare he will not do a thing when the word implied that the action he foreswears is an action of the darkest guilt. It is asking him to say whether or not he is totally devoid of all moral obligations. Now, if such absence of all sense of moral obligation existed in the case of Roman Catholic Members, how, he should like to know, were they to be purged of their deficiency in that respect by the administration of the oath which was now imposed upon them? But his hon. Friend the Member for North Warwickshire had quoted from various writers in the Middle Ages to prove that monarchs might be deposed or murdered by their subjects at the instigation of the Pope. Now, admitting that such doctrines were promulgated in those unscrupulous and bloody ages, were there not, he would ask, persons in this country who had written to somewhat the same effect, who were neither Roman Catholics nor schoolmen? Were there not most eminent men among the Presbyterians who did not scruple to write and preach that an idolatrous Queen might be deposed and murdered by her subjects? Was it not true that both Buchanan and John Knox had compared Mary Queen of Scots to Jezebel, declaring that she and persons like her might be deposed and murdered? That was a Presbyterian doctrine. And again, had we not Poynet, the Protestant Bishop of Winchester, using, in reference to Queen Mary, language just as bloody and unscrupulous as any made use of by members of the Roman Catholic Church, when he said that "manifold and continual examples of the deposition of Kings and the killing of tyrants do most certainly confirm it to be most true, just, and consonant to God's judgment." So much for the writers of these deeds. And now as to the doers of these deeds. He should like to know who brought about the death of Mary Queen of Scots? The Protestants of England. Who led Charles I. to the scaffold? The Puritans of England. Who deposed James II.? The Protestants of England. Why not, then, impose the oath taken by Roman Catholics on the Protestants and Dissenters of this country, as well? And what had been the conduct of members of the Roman Catholic persuasion, who it was said were so completely under the foot of the Vatican, on occasions of trying emergency? When the Armada sailed from Spain — the greatest effort at conquest the Papacy ever made—bearing a banner blessed by the Pope, who were the first to rally round a Protestant Queen? Was it not the venerable Lord Montague, who was present at Tilbury Fort with his son and grandson, at the head of a troop of his own horse. Who commanded the English fleet which shattered the Armada, and destroyed with it every chance of a charge of dynasty and religion? Lord

Howard of Effingham, a Roman Catholic. Now, they would have to believe one of two things—either that Lords Montague and Howard had received a secret dispensation from the Pope permitting them to resist his mandates, to command the fleets of an excommunicated heretic, and to shatter those he had bidden go forth to carry out the greatest projects ever prompted by the Vatican — they must believe this mass of impossibilities, or else they must believe that the allegiance of Roman Catholics to their Sovereign in national matters was not influenced by the spiritual authority of the Pope? He must say that the argument of the hon. Gentleman on that point fell to the ground. The next point of the hon. Member for Warwickshire referred to the re-settlement of property, and he said he spoke as much for Roman Catholics themselves as for Protestants. But his right hon. Friend the Member for Limerick (Mr. Monsell) was a Roman Catholic, and he had as much reason to dread a re-settlement as any one, for he was a holder of confiscated property—indeed, some of the very largest holdings of confiscated properties in Ireland were held by Roman Catholics. It would be impossible to trace land back to its first owner. Confiscation had followed confiscation. The number of confiscated acres was 14,566,000, but the whole area of Ireland consisted of only 10,000,000 acres, and therefore the Roman Catholic landowners were as much interested in the present settlement as Protestants. In respect to his next point the hon. Gentleman seemed to think that if this oath were repealed the Roman Catholics, and the Roman Catholic Association to which he alluded, would become so strong and all-powerful that the Protestant Establishment of this country would be in danger. He (Mr. Gregory) had never heard an argument more humiliating to Protestants than that or more pitiful. If they considered their Church was based on this miserable quicksand of oaths instead of on the affection and esteem of the people, then of all men Protestants were the most weak and miserable. The advocates for the retention of this oath seem to argue that in a Protestant Assembly of 650 Members it was necessary to tie up the hands of some thirty Roman Catholics; and, by this absurd course, the world was shown the amazing spectacle of the strong imposing oaths on the weak, pledging the weak not to overthrow the strong and despoil him, and yet there was high authority for saying that "no man entereth a strong man's house and spoils his goods except he first bind the strong man, and then he may spoil his goods." But the anomaly becomes still greater when it is seen that it is only the Roman Catholic you are in dread of, while no restriction is imposed on the Dissenter and the Jew. Surely, they must have quite as great hostility to the Establishment as any Roman Catholic. When the right hon. Gentleman the Member for Bucks introduced his Reform Bill, he argued in favour of the retention of small boroughs. Arundel was the battle-horse. "See," said he, "all that this little Arundel represents, nothing less than 900,000 Roman Catholics;" but he (Mr. Gregory) thought at the time that these 900,000 Roman Catholics had no great reason to be pleased that their only representative should be sent into that House with one foot and one hand tied, not be allowed to vote on subjects in which they took the greatest interest, and with a Parliamentary imputation upon his honour and honesty. He would also remark that the oath was one with regard to the interpretation of which great uncertainty existed, some Roman Catholics being of opinion that it did not debar them from voting on questions in which the Protestant Establishment was concerned, while others entertained a contrary opinion. Their constituencies, however, had no such scruples, and they naturally chose the man who would do their bidding, leaving him to settle matters as best he could with his own conscience afterwards. Thus it happened that some men felt themselves precluded, owing to a nice sense of honour, from entering the House of Commons. Was it right, he would ask, to prevent constituencies from choosing for their representatives men to whom they might be anxious to confide their interests? Bnt did the Roman Catholics stand alone in putting different constructions upon the oath? The Protestant authorities themselves differed as to their value. The late Sir Robert Peel acknowledged that Members of that persuasion were entitled to vote on all questions affecting the *status* and discipline and emoluments of the Church. The right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside), in speaking a few days ago of the opinion which Justice Shee held on the subject, said he approved of the view which he took, which was to the effect that Roman Catholics were debarred by the terms of their oath from abolishing the Church; but then the right hon. Gentleman seemed to forget that the opinion of Justice Shee did not extend to the prohibition of interference with the emoluments of the Church. Roman Catholics were not now-a-days called perjurers and such like epithets, but incidents have occurred in that House to the unpleasantness of which no representative should be subjected. There were many persons present who had not forgotten the celebrated debate on the State of Ireland in 1844, when Lord Derby, then Lord Stanley, was replying to the arguments of Mr. Shiel—who alleged the Established Church of Ireland to be one of the grievances which maintained permanent irritation in that country. Although twenty years had passed away, he (Mr. Gregory) well remembered that memorable occasion. He remembered the noble Lord pausing in the midst of his fierce, rapid, and unsparing eloquence. He called on the Clerk of the House to hand to him the Roman Catholic Oath, and, amid a silence in which a pin might have been heard to drop, he read slowly and solemnly, he read in fact as none but he can read—the words of the abjuration; and then he argued from the declarations of the Roman Catholics in 1757, in 1782, in 1808, in 1826, and on other occasions, expressing themselves satisfied with the Protestant Establishment, that there could be but one interpretation of the oath, and the House might form its opinion of those who construed it differently. At the very same moment, however, Sir Robert Peel, who was of opinion that a different construction might be put upon the oath, was sitting beside the noble Lord; so that the whole question of its interpretation was clearly one of perfect uncertainty. That uncertainty alone condemned it. It irritated and wounded, but it gave no strength. He regretted, for those reasons, the course which hon. Gentlemen opposite had thought fit to pursue. Instead of being willing to get rid of all imputations upon the honour and loyalty of the hon. Gentlemen in that House who were Roman Catholics, they had moved an Amendment, which, if carried, would defeat the measure. He confessed he was surprised that so many as a hundred hon. Members on the other side, many of them living among the people of Ireland, should have declared that they would not consent to relieve their Catholic fellow-subjects from most useless and senseless imputations on their loyalty, their honour, and their veracity.

Sir JOHN PAKINGTON: Sir, whatever may be thought of the merits of the course taken by the right hon. Gentleman opposite, there can be no doubt that the Bill which he has introduced involves a principle of the greatest importance, affecting the strongest feelings and deepest convictions of the population of this country. It is, moreover, a proposition which cannot be got rid of by hard words; and I, therefore, regret the tone which the hon. Gentleman who has just spoken (Mr. Gregory) has adopted, and will endeavour to address myself to the question before us in a different spirit. I wish to state the course which I think it desirable to take upon this question as it stands, and upon the Amendment of my hon. Friend the Member for North Warwickshire. Let me say that I deeply regret the time and manner in which this Bill comes before us. It is a measure virtually to repeal one of the arrangements which were adopted in 1829 as a security for our Protestant institutions, to be adopted simultaneously with the great measure of Catholic Emancipation. And I will say further, that there is imminent danger that the attempt now made to get rid of a portion of these securities will revive the angry feelings between Roman Catholics and Protestants, which are at all times to be deprecated, but never more so than at the present time. If we are to have a discussion on the Roman Catholic oath forced upon us, it ought to be introduced at a moment when it can be discussed with the utmost calmness and the greatest fairness; and totally free from any of those considerations that have got mixed up with it, and with no feeling and no desire but to do right and justice to Roman Catholics on the one hand and Protestants on the other. In the next place it appears to me that if this measure is introduced at all, it ought to be as a measure promoted by Her Majesty's Government. Whether the change proposed be right or wrong, it is a most important change in a constitutional arrangement of this country. Such a measure ought not to be in the hands of a private Member, but should be introduced with the sanction of the Government, and at a moment when the House is fully at liberty to discuss it, not only calmly, but in the deliberate manner and with that ample measure of time which the constitutional changes involved in it so imperatively require. I say, therefore, with respect to the measure brought in by the right hon. Gentleman the Member for Limerick (Mr. Monsell) that I regret to see it in private hands. I submit, moreover, if this Bill is to be brought forward by an individual Member, it ought to have been with two conditions. In the first place, I think the right hon. Gentleman ought to have brought forward this Bill at the beginning of the Session. [Mr. MONSELL: I did.] When I appealed to him last night to postpone the Motion for going into Committee to-day, in consequence of the illness of my right hon. Friend (Mr. Disraeli) who was most anxious to address the House upon it, and who himself suggested this morning sitting, what was the right hon. Gentleman's answer? He said, and with truth, that the period of the Session at which we have arrived was such that he could not afford to lose a day for the progress of the Bill. [Mr. MONSELL: That was not the whole of my answer.] That was a portion of the right hon. Gentleman's answer, and I have already admitted the truth of his statement. He has no time to spare. But I say that this great change in the securities agreed to in 1829 ought to be discussed deliberately and calmly, and not at a time when the right hon. Gentleman can with justice complain that he has not a day to throw away if the Bill is to be passed this Session. I will also say that I most sincerely regret that this measure, so exciting to the feelings of Roman Catholics and Protestants, should be enforced upon us at the eve of a general election. ["Hear, hear!"] I understand the meaning of the cheers of hon. Gentlemen opposite. I have repeatedly said that we should discuss a Bill of this nature solely upon its merits, and not at a moment when whatever course we may take may expose us to a suspicion that those who promote this Bill and those who oppose it are animated quite as much by the coming elections as by the bearings of the measure on the best interests of the country. But the Bill is before us. It has received the sanction and support of Her Majesty's Government. I also entirely admit the temperate and generous spirit in which this measure has been discussed on both sides of the House. I do not wish to depart from that spirit; but I wish to put it calmly but strongly to the House whether this is quite the time to urge the abandonment of any part of the securities provided by the Act of 1829. What was uniformly the language of Sir Robert Peel on this subject? He always regarded this oath as a part of a compact—as part of a settlement and arrangement. To the hour of the death of that lamented statesman, although he always acted with the greatest generosity and in the most conciliatory spirit towards his Roman Catholic fellow-subjects, he always adhered to the opinion that the settlement of 1829 was a final compact and arrangement, and one that, to the best of his judgment, ought not to be lightly, if at all, departed from. What is the object and nature of the Roman Catholic oath as it stands? It consists of many parts, but it substantially aims at one thing, and that is the requirement that when the Roman Catholics were admitted to the full privileges of the British Constitution only on one condition should their disabilities be removed—namely, that they should not exercise the constitutional power given to them by that Act to the injury of the Protestant institutions so much valued by the people of this country. That I think is not an unfair description of the oath. Well, has it had that effect? We all recognize the honourable manner in which the Roman Catholic body have acted since the Emancipation Act. That oath has, no doubt, acted as a restraint, and has had its effect on the honourable minds of Roman Catholic Gentlemen in this House, and has deterred them from taking any course with regard to various matters connected with the Protestant institutions of the country which they considered inconsistent with the obligations they contracted under that oath. May I not ask, if we consent to the abrogation of that part of the security so enacted by the Act of 1829, would it be possible to do so without exciting feelings of alarm and apprehension among the great body of the Protestants of England and Ireland, inspiring in their minds the idea that there is a feeling of inconstancy on the part of the British Parliament, and that we are now not only disposed, as we always have been, to treat the Roman Catholics in a most generous spirit, but that we are ready to abandon that protection to the Protestant interests of this country that has always been dear to them? If we look abroad at the signs of the times, can it be said that this is a prudent moment for the abrogation of the Protestant security that is enacted by the Roman Catholic oath?

What is the state of affairs immediately around us at home? What are the facts forced upon the attention of the House? On a very recent day an attempt was made in this House to undermine and destroy, I may say without exaggeration, the Protestant Church in Ireland. What is going on in Dublin at this moment? The House will permit me to read a letter which was adverted to by my right hon. and learned Friend (Mr. Whiteside) on a former debate. An Association has been formed in Dublin, called the National Association, for particular objects, and with the concurrence, sanction, and support of Archbishop Cullen, of the Roman Catholic Church in Ireland. The letter in question was written by the Secretary of that Association, and addressed to an Irish journal—

> "Sir,—The *Irish Times* of this day contains an announcement that 'the Established Church has been withdrawn from the programme of the National Association, and the questions to which it will confine its attention will be tenant right and education.' I beg to inform you that there is no foundation for the above statement, and the intentions of the Association in relation to the Irish Church Establishment have undergone no modification, and that the gentlemen with whom rests the direction of the policy of the association are unanimous in their determination to have no compromise with the Establishment or its advocates, and to spare no effort for its overthrow."

Well, Sir, from all I have heard, I believe that, although Archbishop Cullen may give his countenance to this Association, it is sanctioned and supported by very few members of the Roman Catholic Church in Ireland. I cannot, however, too strongly express my regret that any portion of the Roman Catholics of Ireland should be thus assuming an aggressive attitude against Protestant institutions in that country. But such is the fact; and I ask is this a moment for us to go out of our way to remove any of those securities that were enacted for the protection of the Protestant Church of Ireland? What is the feeling of this House and the general feeling of the country in regard to the Protestant Establishment of Ireland? I do not believe there is any large portion of this House, or of the public, who are disposed to join in a hostile attack upon the Protestant Church of Ireland. It is true that on a late occasion the Chancellor of the Exchequer made a speech which certainly did lead the Roman Catholics of Ireland to suppose that he was enlisted among the enemies of the Protestant Church in that country, just as a year ago he made a speech which led the Radical Reformers of England to suppose that he had enlisted among their ranks. How far, however, the right hon. Gentleman may realize the expectations he has raised in either of those quarters it is not for me to say. But, notwithstanding his apparent adherence to the attack on the Protestant Church in Ireland, I repeat my belief that there is no large portion either of the statesmen of this country, or the Members of this House, or the public generally, who desire to attack or undermine that branch of the Protestant Church of this country. For these reasons it does appear to me that this is not the moment to adopt in its entirety the proposition of the right hon. Gentleman (Mr. Monsell). I will now beg leave to state, on the other hand, the view which I take of the proposal as a whole. The Roman Catholic oath may be practically divided into two parts. One portion of the oath was intended for the security of our Protestant institutions. It is, at all events, accepted by a large body of the Protestant public as giving that security, and the Protestant public will feel aggrieved if the House were to relax it. On the other hand, on looking carefully through the terms of the oath, there are portions of it of far less importance with regard to its essential substance, and which the Roman Catholic gentry of England and Ireland may not unreasonably consider offensive to their feelings. I am glad to be able to make this admission, because I can with great sincerity assure the Roman Catholic Members of this House that it is to me a most painful thing to be compelled by a sense of public duty to hold language which may even appear to be of an intolerant character. I am broadly the advocate of religious liberty and perfect toleration. [An hon. Member: Equality, not toleration!] I am speaking my sincere convictions, which through a long political life have been in favour of the most perfect religious liberty and toleration, and my wish is to admit my Roman Catholic fellow subjects to the full enjoyment of all the privileges of the British Constitution. I think I have given proofs of that desire. I might refer to a very recent occasion, on which it was my misfortune to differ from a number of those with whom I usually act — I mean the Prison Ministers' Bill. I had no hesitation then in supporting the fair and legitimate claims of the Roman Catholics; I would do so again, and I am quite free to say that the Bill ought to be carried to a point further than it now stands. I will now state the practical course which I should like to see taken, and which appears to me the most just, conciliatory, and desirable with regard to the specific Motion of the right hon. Gentleman. The Roman Catholic oath, as regards the question now before us, may be divided into four parts. I will advert to those parts of the oath which the right hon. Gentleman proposes to omit. The first is—

> "And I do further declare, that is is not an article of my faith, and that I do renounce, reject, and abjure the opinion that Princes excommunicated or deprived by the Pope, or any other authority of the See of Rome, may be deposed or murdered by their subjects, or by any person whatsoever."

I at once say that I for one have no objection to omit these words from the Roman Catholic oath. I have no wish to impute to the Roman Catholic gentry of England and Ireland that they think at this time of day that a Prince excommunicated by the Pope may be murdered. I do think that such an imputation is offering an affront to those gentlemen, and I am willing to consent to the omission of those words from the oath. Upon the next part of the oath the right hon. Gentleman makes a change, but it is not one that appears to me very considerable or important. The oath is—

> "And I do declare, that I do not believe that the Pope of Rome, or any other foreign Prince, Prelate, Person, State, or Potentate hath or ought to have any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly, or indirectly, within this realm."

Well, he alters these words by leaving out "the Pope of Rome or any other," and the right hon. Gentleman makes the oath read—

> "That no foreign Prince, &c., hath or ought to have any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm. And I make this declaration upon the true faith of a Christian."

Well, as far as I am concerned, I have no objection to that alteration. I now come to the third part of the oath—

> "And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever."

I am perfectly willing to admit that these words may be naturally considered offensive to Roman Catholic gentlemen. Whether or not, after a settlement made thirty or forty years ago, after having deliberately accepted this oath, it is worth while to raise this question may be a subject of doubt. But the right hon. Gentleman has raised this question, and, as an English gentleman, I cannot deny that if I were a Roman Catholic I should consider this particular part of the oath as offensive and insulting, since it would impute to me that in taking the oath there was a possibility of equivocation or mental reservation on my part. A man of honour and truth never could take the oath with this equivocation or mental reservation, and with regard to him who is not a man of honour and truth no oath would ever bind him. Well, Sir, I now come to the fourth part of the oath, and I am sorry to say that with regard to it I cannot use the same language. The fourth part is as follows:—

> "I do swear that I will defend to the utmost of my power the settlement of property within this realm as established by the laws; and I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment as settled by law within this realm; and I do solemnly swear that I never will exercise any privilege to which I am or may become entitled to disturb or weaken the Protestant religion or Protestant Government in this Kingdom."

This passage contains two parts, the first of which relates to the settlement of property, and here I beg leave to quote a few words from the speech of Sir Robert Peel on the Oaths Bill introduced by Lord John Russell in 1849. Sir Robert Peel said that—

> "The Roman Catholic repeated the assurance that he would acquiesce in the settlement of property which had taken place after the restoration of Charles II. He thought the noble Lord had acted wisely in not disturbing the Roman Catholic oath in the Act of 1829."—[3 *Hansard*, cv. 455.]

Here we have the most distinct statement of the opinion of Sir Robert Peel that, for the reasons mentioned, those words relating to the settlement of property ought not to be omitted; and, after giving the most anxious consideration to the question how far I could reconcile my views of right with the wishes of the right hon. Gentleman opposite, I am disposed to adopt the statement of Sir Robert Peel, and say that I cannot consent to relax that part of the oath. Still less can I relax that other part, wherein the Roman Catholic disclaims, disavows, and solemnly abjures any intention to use the power granted him by the Act of 1829 to the injury of our Protestant Establishment. I am sorry—very sorry—that the Roman Catholics should wish to relax the terms of an oath which formed the solemn condition upon which they were placed upon an equality with the rest of their fellow-countrymen. As they esteem their own religion, so they have no right to doubt that we are anxious for the protection of ours. There was a deliberate settlement and compact entered into, and all we ask, as I have said before, is that it be adhered to. If you analyze the oath you will find that there is one object which pervades the whole. You make only one condition—that the Catholics will not exercise the power conferred on them by the Act in order to injure your Protestant institutions. I do think, on the one hand, that this is a power which the Roman Catholics themselves ought not to desire; and, on the other, that it is a power which the Protestant Parliament of England ought not to concede. Sir, these are the views with which I approach the consideration of this question. The vote which I may give upon going to a division must depend upon the answer which the right hon. Gentleman the Member for Limerick (Mr. Monsell) may be disposed to return to the question which I now venture to put—namely, whether, in the event of our going into Committee upon this Bill on the understanding, so far as I have a right to intimate it, that those three portions of the oath to which I have adverted shall be struck out in order to conciliate the Roman Catholic body and to consult their views, he would consent to the reintroduction of those words which I have just read, and which relate to the security of the Protestant interests of this country. If the right hon. Gentleman is willing to go into Committee upon that understanding I am prepared to vote for the proposal which will, I believe, be made by my hon. and learned Friend the Member for Belfast (Sir Hugh Cairns). On the other hand, if he tells me—which I am sure he will frankly do if he cannot consent—that he is not willing to accept that arrangement, then I shall, though with reluctance, feel it my duty to vote for the Amendment of the hon. Member for North Warwickshire.

MR. HORSMAN: Sir, the question which has just been put by the right hon. Gentleman spoils, I am sorry to say, both the spirit and character of a very excellent speech. That question is nothing more or less than this—whether, Parliament having for a certain number of years been advancing in the path of a wiser policy and sounder principles, and establishing upon a broader basis those principles of civil and religious liberty which have been growing more and more upon the convictions and affections of the people of this country, my right hon. Friend the Member for Limerick will now consent to make a retrograde movement and re-enact the penalties or disabilities which Parliament deliberately expunged from the statute book seven years ago. Sir, I must express my profound regret that the rumoured arrangement which might have met on both sides of the House with a general concurrence has been found to be impracticable. Of late years we have had no discussions in this House so embarrassing and painful as those respecting the oaths which we take at that table, and the only comfort to be derived from those discussions is that at last they have brought with them a wholesome and very desirable change in the opinion of Parliament, which I believe will never consent to recede from the position which lately it has deliberately taken up. My hon. Friend the Member for North Warwickshire has treated this as a question merely affecting the Roman Catholics; but I think it is a question affecting Protestants and all believers in the revealed religion in which my hon. Friend and myself are as much interested as any of our Catholic fellow-subjects. My right hon. Friend who has just sat down (Sir John Pakington) has dwelt very much upon this oath being a Protestant's security, and he has spoken of it as being a settlement and a compact. But I have listened in vain, during these discussions, with a view to learn wherein that security consists. And, let me ask, what is the nature of that settlement and compact? Sir, every Act of Parliament that is passed is a settlement of some question for the time being. We have in the course of every year a hundred settlements, which remain as settlements until they are disturbed by subsequent Acts of Parliament. And as to a compact, you may talk of a compact between two co-equal Powers, but when you talk of a compact between a Government and a portion of its subjects, you talk of a compact between a strong majority and a weak minority, the one dictating in its strength what the other in its weakness is compelled to accept. And when there has been a change in the relative strength of those two parties, either by an increase in the numbers of the weaker or a growing sympathy throughout the nation with their cause, then the weaker party may ask for a revision of the terms imposed upon them in a time of weakness, and the other party must consent to that revision which they would have resisted when their strength was undiminished. Sir, an admission was made by my right hon. Friend opposite which lies at the bottom of the whole question, when he said that the Act of Emancipation established, and was intended to establish, equality between Roman Catholics and Protestants. I thank my right hon. Friend for that admission. My objection to this oath is that it establishes a distinction between Catholics and Protestants, between two classes of Members, between the Catholic and every other Member of the House. Be he a Churchman, a Dissenter, a Quaker, or a Jew, his creed is admitted to be one that is consistent with morality and allegiance, and he is invested with full powers to deal with every legislative question which may be submitted to Parliament. But the Roman Catholic oath is framed on the assumption that his creed is one which inculcates immorality and a questionable allegiance. You restrict his powers, you narrow his functions, and you exclude him from that large branch of legislation which falls under the title of ecclesiastical. And we know, as my right hon. Friend said, that there have been conscientious Catholics who have felt themselves debarred by the oath from taking part in discussions on the temporalities of the Church, and he wishes to re-impose upon them that portion of the oath which acts as a restriction. But what about the English Dissenters? Are they not avowed enemies of the Establishment? And do you attempt to place any restriction upon them? They have formed a very powerful organization for the express purpose of overthrowing the Establishment; and do not they tell us that they hope that organization will be successful? But do you try to restrain them or blame them? Is it not the duty of a man who believes that the separation of Church and State will promote religion and be beneficial to the State to strain every nerve to effect that separation? Well, then, why not apply that principle to Catholics? And the more sincere and devout the Roman Catholic, the more earnestly must he desire to convert the State to his opinions, and to re-establish by peaceful and moral means his Church in place of the one which he is now sworn not to subvert. But now, let me ask, what security does this oath really give? If the Catholics become powerful enough to subvert the Establishment, will not the first thing they will do be to repeal the oath? The Church Establishment is the creature of law, the law is the child of opinion, and as opinion changes the law must change. And, Sir, I am happy to say that we do see of late years changes of opinion, changes rapid and decisive, which lead to a wiser policy, a policy from which this House, I trust, will never turn away. We know there was a time when the law said that every member of the Legislature must be of one religion, and that there were good men, and wise men, and bold men, who sought to repeal that law, and were met year by year, and step by step, by the cries of intolerance. When it was first proposed to admit Dissenters to Parliament, intolerance raised a cry and said, "If you admit Dissenters, the Church will be in danger." Then when the proposal to admit the Catholics was made, intolerance shifted its ground, and raised another cry, "If you admit Catholics, Protestantism will be in danger." But the good sense and advancing justice of the nation prevailed over that cry also, and the Catholics were admitted. And when, after a long interval, it was proposed to admit the Jews, intolerance once more shifted its ground and cried, "If you admit the Jew, Christianity will be in danger." Well, the Dissenter was admitted, the Catholic was admitted, the Jew was admitted, and now every successive year accumulates evidence upon us that the Protestantism of the nation has not been weakened but strengthened, that the Christianity of Parliament has not been lowered but exalted by the application of the Christian principles of charity and justice; and yet a new cry of intolerant bigotry is still raised when, in a modified form, we are asked to forbear to perpetuate a vexatious and offensive oath upon our Roman Catholic fellow-subjects. ["No, no!"] My hon. Friend (Mr. Newdegate) takes great exception to the phrase "intolerant bigotry." Well, I assure him that it escaped me unintentionally. But at all events we are now asked to perpetuate a vexatious and tormenting form of oath, which, I may be permitted to say, is a relic of a dark age; which is powerless as a security, but mischievous as a stigma and an offence. Now, I say that with regard to the Catholic Members. But now, speaking as a Protestant, I beg to draw my right hon. Friend's attention to a question which affects both him and me equally as Protestants. If we go into Committee on this Bill, I do so for the purpose of voting for an Amendment, of which notice has been given, to revise all the oaths taken by Members of this House. Well, now, what is our position? My hon. Friend the Member for North Warwickshire and I at the beginning of Parliament take an oath at that table. We ask Catholic Members to take an oath and to swear that the Pope has no spiritual jurisdiction in this country. ["No, no!"] I beg pardon—there is a distinction, the word "spiritual" is omitted from the oath taken by the Catholic. But my hon. Friend the Member for North Warwickshire and I swear that the Pope has no spiritual jurisdiction in these realms. Do not we? Very well. We swear he has no spiritual power or jurisdiction, but is that true? [Mr. KER: I think not.] I hope my hon. Friend the Member for North Warwickshire will not be offended if I put a question to him which I have often put to myself, and it is this—Is the oath which he, and I, and the right hon. Gentleman the Member for the University of Dublin take that the Pope has no spiritual jurisdiction within these realms true? [Mr. WHITESIDE: Yes, it is.] My hon. Friend the Member for North Warwickshire cannot say that, because he over and over again has got up in this House and complained of that jurisdiction, and he has warned us of the increasing dangers to be apprehended from it.

MR. NEWDEGATE: The House will permit me to explain what I have sworn, and what I meant by so swearing. I swore that the Pope held by law no jurisdiction, and I have never spoken of the influence which he exercised otherwise than as illegal.

MR. HORSMAN: I must again remind my hon. Friend, when he tells us what he has sworn, that he has sworn nothing but what I have myself sworn, and therefore I cannot intend to throw any imputation upon him. But when he puts in a word which is very significant, and says, "I meant that the Pope has no legal jurisdiction," I must remind him of this, that we call upon Roman Catholics to swear "in the plain but ordinary sense of the word, without any evasion, equivocation, or mental reservation whatsoever." And I may add that this is a difficulty which I myself have often felt. I know what I have meant to swear, but they are not the words which I do swear, and therefore when I call upon Catholics Members to swear "without evasion, equivocation, or mental reservation," I feel bound to ask myself whether I take the oath in that sense, and do not mean to swear in any other. But then the lawyers give us a salve for our conscience, and tell us that the Pope has no legal jurisdiction. [Mr. WHITESIDE: Jurisdiction!] They say he has no legal jurisdiction. Well, I confess that with my Friend opposite (Mr. Newdegate), I follow the multitude; I accept that interpretation, and I take the oath, but under a species of coercion, because the alternative is exclusion from this House. But let me now test my hon. Friend's definition of "legal" jurisdiction. Now, what is legal jurisdiction? There is a legality of two kinds, a legality which is established by law; and a legality which is recognized and suffered by law. I am sure my hon. Friend, the Member for North Warwickshire, knows Bishop Ullathorne. Bishop Ullathorne has a jurisdiction which he exercises in Warwickshire under the mandate of the Pope. That jurisdiction may not be established by law, the law ignores its exercise, but my hon. Friend would not propose to prosecute Dr. Ullathorne for his exercise of that jurisdiction? Then there are the Irish bishops. We know for a long time past the Pope has appointed bishops in Ireland, with spiritual jurisdiction and territorial titles, which have been recognized by Acts of Parliament assented to by the Crown. I confess that when I know that this jurisdiction has been recognized by Acts of Parliament, in which those bishops have been acknowledged by their titles, and that those Acts of Parliament have been sanctioned by the Crown, I should find some difficulty in any other assembly in clearing myself from the charge of casuistry, when I affirmed that their jurisdiction was illegal. But whether it be legal or not, as a Protestant I should feel it a great boon if I was never required to take the oath at that table; for, turn and twist it as we may, we take it in a sense in which there is far more of casuistry than of truth, and yet we are Protestants. Well, Sir, in the question now before us there are at all events certain points of agreement. I think we must all be agreed that all unnecessary oaths are objectionable, that oaths of doubtful construction are immoral, and no one can deny, who has studied the question, that restrictive oaths, limiting the power of one class of Members, while that very power is given to another class, must be unconstitutional. I may ask the House to go one step further with me, and say that criminatory oaths, which cast a suspicion and reproach on the creed of a large portion of our fellow-subjects, must be an injustice, an impolicy, and an offence. I shall go into Committee with the intention of supporting the Amendment that we shall have one uniform oath, and the great recommendation of such an oath will be its simplicity. I should wish to see no oath sworn at that table but the oath of allegiance. That is an oath which every man can take, and which may suffice for every purpose. Why, Sir, the loyalty of the nation is the best and only security for any of its institutions, and that oath taken by every man in this House puts us all upon an equality, and joins us together in one great bond of national sympathy and brotherhood, without distinction of creed or class. There is one point which has been urged by hon. Gentlemen opposite in which I entirely agree, and that is that the question should have been brought forward upon the responsibility of the Government. At the same time we have to deal with the circumstances before us. An independent Member of this House, in the exercise of his undoubted discretion, has brought forward this measure upon its merits. I shall be very glad when we come out of Committee if the charge of the Bill be transferred from my right hon. Friend to Her Majesty's Government. I think that would be a proper change, taking into consideration both the nature of the subject and the lateness of the Session. I think it is not right that we should leave it to a Catholic Member of this House to propose a change which implies that there is merely a Catholic grievance. Sir, this question affects the character of the House and the principle upon which legislation proceeds, and therefore I should like to see all the weight of the Government brought to bear in order to accomplish a change which is equally dictated by policy and by justice.

SIR HUGH CAIRNS: Sir, before we go to a division on this Motion, I should be glad, with the indulgence of the House, to state very briefly the grounds on which I for one shall give my vote. And first, I desire to clear the case from some topics introduced into it by the right hon. Gentleman who has just sat down (Mr. Horsman), which seem to me to be irrelevant. This is not a question of the imposition of a new oath for the first time on any class of Members. If it were, a great many of the arguments which he adduced might have had much more force and weight than I take leave to think they have in the present discussion. Neither is this an occasion on which, with any kind of propriety, we can discuss the oath taken by the Protestant Members of this House. The right hon. Gentleman says he intends to go into Committee with the view of voting for a uniform oath for all Members of Parliament. But that is not the title of this Bill, and that is not the proposal which the right hon. Gentleman who introduced this measure asked us to adopt. When it is thought desirable, either on the part of Her Majesty's Government or on the part of any individual Member, to bring in a measure for that purpose, it will be done by a Bill expressly framed for the purpose, and upon that Bill, on the second reading, will the House pronounce its opinion—Aye or No—whether one uniform oath for all Members is or is not desirable. I beg the House now to consider the very different avowed purposes and objects for which hon. Members belonging to the Roman Catholic faith ask that the present form of the oath which they have been in the habit of taking should be altered. Let me remind the House of what really are the three different parts of that oath. The first part which it is desired to alter is this—

> "I do further declare that it is not an article of my faith, and that I do renounce, reject, and abjure the opinion that Princes ex-communicated or deprived by the Pope, or any other authority of the See of Rome, may be deposed or murdered by their subjects, or by any person whatsoever."

What is the purpose for which and the reason why it is proposed to alter that part of the oath? Is it because the right hon. Member for Limerick (Mr. Monsell) wishes to be free and all the Roman Catholic Members wish to be free from the obligation which that part of the oath imposes? Do they say, "We desire to be free from any obligation that would restrain us from doing the things pointed at by that part of the oath?" Nothing of the kind. I should be sorry to understand the case of the Roman Catholic Members to be otherwise than this — that they have no such tenet in their faith, that they never had, that they disavow it, and that it is ridiculous to ask them every time they take their seats in Parliament to abjure it.

That being the reason why it is proposed to alter that part of the oath, I am bound to say that I agree with the reason, that I do not believe it is a tenet of the Roman Catholic faith. I have not the slightest desire to impose on the conscience and feelings of the Roman Catholic Members the repetition of an abjuration and disavowal which I believe to be not only unnecessary, but almost absurd. I agree, therefore, not only to the alteration of that part of the oath but also to the reason assigned for it. In like manner I deal with the last part of the oath—namely—

> "And I do solemnly in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever."

Why is it sought to alter that? Is it because Roman Catholic Members wish to be free from the obligation against equivocation? Nothing of the kind. They say, "We have no intention to equivocate or exercise mental reservation, and we feel it an affront to suppose that we have." Then I say again I agree with the alteration proposed and with the reason for it; because that reason is that the oath is unnecessary, professing to cover that which is no danger, and being useless, and at the same time hurtful to the feelings of those to whom it is administered. But the moment we come to the other portion of the oath which it is proposed to alter there arises a great and substantial question; and I beg the House to consider how very different are the language and the motives expressed by those who ask for its alteration — I mean the part which says—

> "I do swear that I will defend to the utmost of my power the settlement of property within this realm, as established by the laws. And I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment as settled by law within this realm; and I do solemnly swear that I never will exercise any privilege to which I am or may become entitled to disturb or weaken the Protestant religion or Protestant Government in this Kingdom."

Observe how different is the case when we come to this part of the oath. Do hon. Members who seek for an alteration here rise and say, "We ask that this part may be altered because it is offensive in its wording?" Nobody has said that, and it could not be so contended. But do they say, "It is idle and useless to make us take this part, because we have no intention of subverting the Church Establishment or of using any privilege we may have to disturb the settlement of Church property, and no desire to weaken the Protestant religion or the Protestant Government of the kingdom?" I am obliged to answer that I understand the language of the Roman Catholic Members to be altogether different from that. The right hon. Member for Limerick (Mr. Monsell) will correct me if I am wrong, but I understand their language to be that they desire to be free—perfectly free—to subvert the Church Establishment if they please and if they can, and that it is because they find this oath to be an impediment in their way that they wish to be released from its obligation. Am I right or am I wrong in that? I find that, in some observations in regard to this Bill attributed to the right hon. Gentleman (Mr. Monsell) in some of the usual organs of public information, he was represented as having said, that, in the introduction of the measure, he had no desire to interfere with the Church Establishment. And what did the right hon. Gentleman do? If I mistake not he wrote to the journal which had made that statement begging leave to contradict it, and saying that with respect to the Establishment in England he had no wish to disturb it as long as the English people liked it, but implying or expressing that in regard to the Irish branch of the Establishment, the case was altogether different; and he renounced—if I may use the term with perfect respect—the idea that he did not wish to subvert it. ["Hear, hear!" from *the Ministerial side.*] I am glad, then, to have it so far avowed that the object here is to get rid of this part of the oath, not because it is idle or useless, but because it has a meaning and an operation, and is an obstacle in the way of that which they desire. Well, it is a remarkable fact that at this particular juncture an Association has been formed within the last few months in Dublin, and is either presided over or patronized by a number of prelates of the Roman Catholic Church, which has made no secret as to what its object is—namely, the complete subversion of the Established Church in Ireland. Am I right or am I wrong there? A journal in Dublin made some statements as to the object of that Association, implying that it understood the Association had relinquished any idea of agitating for the disturbance of the Established Church; but the organ of the Association wrote to say that the gentlemen with whom it rested to direct the policy of the body—including, remember, the archbishops and bishops of the Roman Catholic Church—"are unanimous in the determination to have no compromise with the Establishment or its advocates, and to spare no efforts for its overthrow." We have here, at all events, the frank confession on the part of the right hon. Gentleman and also of the members of his own faith in the sister country, that their intention at the present moment is—first, to insure, if they can, the overthrow of the Established Church ; and secondly, to get rid of this oath because it is an obstacle in the way of the promotion of that overthrow. Then I must ask myself this question—That being the avowed object of those who promote this Bill, is this oath any safeguard—has it proved by practical experience any safeguard—to the Established Church against attack, any impediment in the way of proceedings taken for its subversion ? Upon that point, how stand the facts ? In the first place, I shall be justified in saying that I want no other proof than that the members of the Roman Catholic faith think it worth while to agitate for the repeal of this part of the oath in the sense of and with the motives avowed by the right hon. Member for Limerick. But what has been the effect of the oath as regards the purposes for which it was introduced ? Nobody can deny that it was introduced as a safeguard for the Protestant institutions of the country. It may have been wise or unwise, but that was its original purpose. And what has been its effect ? We had it stated to us on a former occasion by the Secretary of State that a noble Duke when he had a seat in this House (the Duke of Norfolk), and another relative of his who now has a seat in this House, both Members of the Roman Catholic Church, had both felt—and I cannot conceive how they could have felt otherwise—that this oath was of that efficiency and that stringency that it would be improper for them, in the face of its obligations, to concur in any attacks upon the Protestant institutions of the country. Then take a learned person for whom I have a high respect—I mean Mr. Justice Shee. The hon. Member for Galway (Mr. Gregory) appeared to think that Mr. Justice Shee, in his interpretation of the oath, admitted great latitude as to its construction, and intimated an opinion that, in point of fact, consistently with this oath, you might vote for everything but the total destruction of the Established Church. Now Mr. Justice Shee said this—

> "I have a clear conviction that Catholic Members, however strong may be their impression as to its expediency, ought not to vote so long as a solemn abjuration of all intention to subvert the Church Establishment, and a solemn promise not to exercise any privilege to which they are or may become entitled to disturb or weaken the Protestant religion, continue to be among the conditions on which they are admitted to seats in Parliament. The faith plighted by those words has been hitherto preserved inviolate. . . . . Having made that abjuration they are committed by it to a loyal acquiescence in the retention by the Protestant Episcopal Church of a temporal provision adequate to secure its efficiency and the maintenance of its Bishops and clergy in competence and honour."

This is the opinion of that learned Judge—and I venture to say it is a sound and proper opinion—as to the stringency of the oath. But we have also the opinion of Mr. Lucas, lately a Member of this House, who spoke in the most solemn way of the binding effect of the oath on his conscience, and said that, having taken it, he could not join in any attacks on the Established Church. But, further, I have the greatest reason to believe that there sit at this moment in this House Members professing the Roman Catholic faith—not one, two, or three, but many Members—who feel that this oath does bind their consciences according to the full effect and meaning of the words, and that they are precluded by it from joining in any attack, if attack should be made, on the Established Church or the Protestant institutions of the country. Then if this be so—if this oath was intended at the time of its introduction to be one of the safeguards of our Protestant institutions—if it has operated in the manner I have described for a period of at least thirty-five years—what I want to know is this :—We have the Protestant population of this country, if not altogether, yet almost unanimously relying on the effect of this oath and satisfied with the operation of it, as far as we can see ; and I ask what right have we, the Protestant Members of this House—and I appeal to all those Members who hear me—what right have we to surrender that which was introduced as a safeguard for our Protestant institutions, and which, however, ineffectively, has proved one of those safeguards ? The right hon. Gentleman who spoke last said there was no arrangement or compact, or if there was it was of that kind where the stronger party imposed terms on the weaker, and the weaker had nothing to do but to consent to them. I can test that part of the right hon. Gentleman's observations. Did that Roman Catholic Archbishop, Dr. Murray, speak of terms imposed by a stronger party on a weaker? Nothing of the kind. He was asked by a Committee of this House—

> "Have you any reason to think that in the minds of any part of the Roman Catholic clergy there exists any hope or any wish to interfere with the temporal possessions of the Established Church?"

His answer was—

> "Not the least; there is no wish on the part of the Roman Catholic clergy to disturb the present Establishment, or to partake of any part of the wealth it enjoys. Question—Nor any objection to give the most full and entire assurance on that subject by any declaration that may be required of them? Not the least."

And observe, that was the declaration of Dr. Murray before the Emancipation Bill was introduced into this House, and he stated, not that he was anxious to make terms as one who could not make better, but he gave a hearty and sincere adhesion on the part of those whom he represented, and who freely and willingly assented to the arrangement made with them. I take also a statement made by a very eminent nobleman, a member of the Roman Catholic faith, Lord Camoys, who declared—

> "It is also said that the Roman Catholics were parties to the oath of 1829, and that, therefore, they have no right to quarrel with its details. My Lords, there are many of the Roman Catholics who strongly deny this statement; they say they were not in Parliament at the time, and therefore were no parties to the oath. I must candidly acknowledge that I differ from those Roman Catholics in that view, and must confess that we were parties, by consent at least, to that oath. That oath received the sanction of the Catholic prelates; that oath received the sanction of the great leader of emancipation—Mr. O'Connell. That oath was gladly taken by us at the time of the Emancipation Act, and that oath has been taken by us ever since; and though here and there some Members may be found who had felt some doubt as to the interpretation of some passages in it when questions affecting the Established Church had come before Parliament, yet, on the whole, that oath had been no bar to the full discharge of our Parliamentary and other public duties."

After that, although I do not contend that an Act of Parliament is a compact which cannot be departed from, but that we must look at all the circumstances which led to the passing of every Act, yet I say it is too much to contend that the form of this oath, in the parts of it to which I am now referring, was not a willing and a cheerful stipulation on the part of the Roman Catholic prelates, and a free expression of their wishes and intentions at the time. What, then, are the objections made to this portion of the oath? It is said that it is ambiguous in form, and that various persons at different times have put various interpretations upon it. I am afraid, Sir, that that is an argument which, if it is worth anything, goes against every form of oath. I do not believe that in regard to an oath *in futuro*, prescribing a line of conduct for the future, and not merely having reference to things in times past, it would be possible to frame an oath as to which there may not be controversy and difference of opinion. I was surprised to hear an hon. Member say the late Sir Robert Peel held that the oath left every Roman Catholic Member who might take it free to deal with any of the established institutions of the country, and that if he thought fit he might advocate their abolition. I am not prepared to give an answer to a statement based on any information which I have not had the means of examining; but I shall be glad to hear any hon. Gentleman explain the passage in which the late Sir Robert Peel is supposed to have made that statement. I venture most respectfully to doubt whether he ever made any statement of the kind; and I own that I think any statement of that description from the late Sir Robert Peel would be totally at variance with what he said in 1849, when speaking of the Roman Catholic oath. He attached the greatest importance to its retention, and said that Lord Russell had done wisely, in the form of oath he then proposed, in suggesting to the House no alteration in the Roman Catholic oath in those parts of it to which I have been referring. But it is said with regard to the Church Establishment that some people have the opinion that the oath does not touch the temporalities. I do not want now to enter into that; but the words which come before put the temporalities of the Church beyond all doubt. I mean "the settlement of property as by law established," because this settlement of property does not relate merely to the property of individuals—there I suppose that length of possession alone would give a sufficient title, and would protect it—but it means more expressly in this case that settlement of property as by law established, in which the Church is spoken of in the remaining part of the sentence as above all particularly interested. Then, it is said that Protestant Members of this House, those especially of the Nonconformist persuasion who have always very candidly and very consistently expressed their dislike to the Establishment, and their desire in every way to reduce it, and, if possible, overthrow it—it is said that they do not take this oath; and it is asked if Roman Catholics take it why Nonconformists and all other Members should not do the same? My answer to that is that this is not a question now of imposing an oath for the first time, but of whether those who have taken it for thirty-five years, and taken it as a condition of holding seats in the Legislature of a Protestant country, are to cease to take an oath to which they assented under the circumstances which I have described. If any person proposed the imposition of a new oath for the first time on other Members of this House, very different questions might arise. It has wisely or unwisely been thought that the Protestant Members of this House did not require to take an oath of this kind; whereas, on the other hand, it has been thought in regard to Members of the Roman Catholic faith, that it could not be and never was disguised that their faith is antagonistic to the reformed faith of this country, that it was right and proper they should take the oath in this form as a condition of having seats in this House. I am obliged to the House for allowing me to state the grounds on which I propose to give my vote in the division which is now approaching. If the right hon. Member for Limerick (Mr. Monsell) answers the question put to him by my right hon. Friend beside me (Sir John Pakington) and says he will be satisfied with getting rid of those parts of the oath which are offensive in form, then I can see no reason why those parts should not be repealed, still retaining that part on which I have laid so much stress. But, on the other hand, if that is not the view of the right hon. Gentleman—and I am bound to say I do not believe it is—I am bound to say I believe the right hon. Gentleman desires and has made no secret of the desire to alter the oath to the full extent which he has proposed to alter it in his Bill—then we can vote on this question now just as well as if we were in Committee. If that is the right hon. Gentleman's view, and if nothing will content him but the removal from the oath of those passages in which the person taking it abjures the idea of subverting the Established Church or the Protestant institutions of the realm, then, Sir, I shall cheerfully vote with my hon. Friend behind me.

Lord EDWARD HOWARD: Sir, I do not rise to follow the hon. and learned Member with the view of making a speech; I merely wish to say a few words by way of explanation. The hon. and learned Gentleman founded a portion of his speech on the assumption that two persons to whom he alluded—one my lamented brother and the other myself—who, he said, were in the habit of abstaining from voting on Church questions because we thought it was not possible to do so conscientiously in presence of the oath we had taken on our admission to the House. He based an argument upon that to show that if you keep this oath as it is, you are strengthening the Church Establishment. Now, Sir, I beg to explain that I do not think that was the reason which influenced my brother's mind. I believe that my brother was led to take the course simply from a feeling that it would be better taste in him not to vote on such questions. That was the opinion that influenced him; that is the opinion that influences me. But, if one is to be met by arguments of that kind, I, and others who think with me, might look further into the question, in order to see whether we ought not to give our votes on such questions against the view which the hon. and learned Gentleman has attributed to me. I have said I think it better taste for Roman Catholic gentlemen not to interfere in Church questions; but it is obvious that words in this oath are a snare to some honest minds. Is it not very possible, for instance, that I was strengthening the Established Church by voting against church rates? Would it not be better for the Church if the question of church rates were settled? I might have voted against church rates on that ground. But I have never voted against church rates, because I felt it was better taste not to do so. I do think that any Established Church of any country in the world, founded though it be on the law, is still more strongly founded in the hearts, minds, and spiritual interests of those who belong to it, and that without oaths, without legal impediments, without any of those things that bind the consciences of men, you may rely on the true and real establishment of a Church for any country. Therefore, in my humble opinion, it would be better if the wisdom of Parliament would remove whatever may be a snare and is most disagreeable to the feelings of

British Gentlemen who give their votes in Parliament with no less loyalty to their Sovereign and no less wish for the prosperity of the Empire than any other Members of this House.

Sir HUGH CAIRNS assured the noble Lord that he had not referred to the motives which influenced his lamented brother or himself from any knowledge of his own. He merely repeated the statement which had been made by the right hon. Baronet the Secretary for the Home Department.

Mr. MONSELL said, that he could not accept the proposal of the right hon. Baronet (Sir John Pakington).

Sir PERCY BURRELL, who rose amid loud cries for a Division, hoped the House would allow him to make a single observation, as he could not give a silent vote on this question. Roman Catholics had been admitted to seats in that House on well-understood conditions, and if the spirit of those conditions were not kept the Parliament of this nation would, no doubt, feel it to be its duty to exclude them.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 193; Noes 126: Majority 67.

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Committee report Progress; to sit again *this day.*

AYES.

Acton, Sir J. D.
Adair, H. E.
Adam, W. P.
Agar-Ellis, hon. L. G. F.
Bagwell, J.
Baines, E.
Baring, hon. A. H.
Baring, rt. hn. Sir F. T.
Baring, T. G.
Bass, M. T.
Bazley, T.
Beale, S.
Beaumont, W. B.
Blake, J. A.
Blencowe, J. G.
Bouverie, rt. hon. E. P.
Bouverie, hon. P. P.
Bowyer, Sir G.
Brady, J.
Bramston, T. W.
Brand, hon. H.
Bright, J.
Browne, Lord J. T.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Buckley, General
Burke, Sir T. J.
Butt, I.
Buxton, C.
Cardwell, rt. hon. E.
Cheetham, J.
Cholmeley, Sir M. J.
Churchill, Lord A. S.
Clay, J.
Clifford, C. C.
Clive, G.
Cogan, W. H. F.
Colebrooke, Sir T. E.
Collins, T.
Corbally, M. E.
Cowper, rt. hon. W. F.
Cox, W.
Crawford, R. W.
Dalglish, R.
Davey, R.
Davie, Colonel F.
Denman, hon. G.
Dent, J. D.
Dickson, Colonel
Dillwyn, L. L.
Dodson, J. G.
Douglas, Sir C.
Doulton, F.
Duff, M. E. G.
Dundas, rt. hon. Sir D.
Dunne, M.
Egerton, E. C.
Enfield, Viscount
Ennis, J.
Esmonde, J.
Evans, Sir D. L.
Evans, T. W.
Ewart, J. C.
Fenwick, E. M.
Fenwick, H.
Foley, H. W.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Fortescue, hon. F. D.
Fortescue, rt. hon. C.
French, Colonel
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon. W.
Goldsmid, Sir F. H.
Goschen, G. J.
Gower, hon. F. S.
Greene, J.
Gregory, W. H.
Greville, Colonel F.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Gurdon, B.
Gurney, S.
Hadfield, G.
Hanbury, R.
Hankey, T.
Hanmer, Sir J.
Hartington, Marquess of
Hervey, Lord A.
Hervey, Lord A. H. C.
Hassard, M.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Hennessy, J. P.
Hesketh, Sir T. G.
Hibbert, J. T.
Horsman, rt. hon. E.
Howard, Lord E.
Hunt, G. W.
Jackson, W.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kekewich, S. T.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Laird, J.
Layard, A. H.
Lanigan, J.
Lawson, W.
Leader, N. P.
Lefevre, G. J. S.
Lever, J. O.
Lewis, H.
Liddell, hon. H. G.
Locke, J.
Longfield, R.
Lowe, rt. hon. R.
M'Cann, J.
MacEvoy, E.
Mackinnon, W. A.
M'Mahon, P.
Maguire, J. F.
Marjoribanks, D. C.
Marsh, M. H.
Martin, J.
Mills, J. R.
Mitchell, T. A.
Moncrieff, rt. hon. J.
Moor, H.
Moore, C.
Morrison, W.
Murphy, N. D.
Neate, C.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
O'Ferrall, rt. hon. R. M.
O'Loghlen, Sir C. M.
O'Reilly, M. W.
Packe, Colonel
Paget, Lord C.
Palmer, R. W.
Pease, H.
Peel, rt. hon. Sir R.
Peel, rt. hon. F.
Peel, J.
Pilkington, J.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Powell, J. J.
Pritchard, J.
Ramsden, Sir J. W.
Redmond, J. E.
Robartes, T. J. A.
Robertson, H.
Roebuck, J. A.
Russell, A.
St. Aubyn, J.
Salomons, Mr. Ald.
Schneider, H. W.
Scully, V.
Seely, C.
Seymour, H. D.
Seymour, W. D.
Shelley, Sir J. V.
Sheridan, H. B.
Smith, J. B.
Stacpoole, W.
Stansfeld, J.
Steel, J.
Stirling, W.
Thompson, H. S.
Tollemache, hon. F. J.
Tottenham, Lt.-Col. C. G.
Trelawny, Sir J. S.
Vandeleur, Colonel
Villiers, rt. hon. C. P.
Walter, J.
Western, S.
Westhead, J. P. Brown
White, J.
White, hon. L.
Wickham, H. W.
Winnington, Sir T. E.
Woods, H.
Wyvill, M.

TELLERS.

Monsell, rt. hon. W.
Castlerosse Viscount

NOES.

Adderley, rt. hon. C. B.
Arbuthnott, hon. Gen. Sir H.
Archdall, Captain M.
Astell, J. H.
Ayrton, A. S.
Aytoun, R. S.
Bailey, C.
Bateson, Sir T.
Beach, Sir M.
Beach, W. W. B.
Bentinck, G. W. P.
Bentinck, G. C.
Benyon, R.
Beresford, rt. hon. W.
Beresford, D. W. Pack-
Blackburn, P.
Booth, Sir R. G.
Bremridge, R.
Bridges, Sir B. W.
Bruce, Sir H. H.
Burrell, Sir P.
Butler, C. S.
Cairns, Sir H. M'C.
Cargill, W. W.
Cartwright, Colonel
Cave, S.
Cobbold J. C.
Cole, hon. H.
Cole, hon. J. L.
Corry, rt. hon. H. L.
Craufurd, E. H. J.
Curzon, Viscount
Davie, Sir H. R. F.
Du Cane, C.
Duncombe, hon. A.
Dundas, F.
Du Pre, C. G.
Dutton, hon. R. H.
Egerton, hon. A. F.
Fane, Colonel J. W.
Farquhar, Sir M.
Fellowes, E.
Fergusson, Sir J.
Floyer, J.
Fraser, Sir W. A.
Gallwey, Sir W. P.
Galway, Viscount
Gard, R. S.
Getty, S. G.
Goddard, A. L.
Gore, J. R. O.
Gore, W. R. O.
Grogan, Sir E.
Hamilton, Lord C.
Hamilton, I. T.
Hardy, G.
Hardy, J.
Hartopp, E. B.
Harvey, R. B.
Heygate, Sir F. W.
Holford, R. S.
Hood, Sir A. A.
Hopwood, J. T.
Ingestre, Viscount
Jervis, Capt.
Jolliffe, H. H.
Jones, D.
Ker, D. S.
King, J. K.
Kinnaird, hon. A. F.
Knox, hon. Major S.
Langton, W. G.
Langton, W. H. G.
Lee, W.
Macaulay, K.
Mackie, J.
Mainwaring, T.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Mills, A.
Montgomery, Sir G.
Mordaunt, Sir C.
Mowbray, rt. hon. J. R.
Mundy, W.
Nicol, W.
Noel, hon. G. J.
North, Colonel
O'Neill, E.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Major W.
Patten, Colonel W.
Paull, H.
Pevensey, Viscount
Powell, F. S.
Pryse, E. L.
Repton, G. W. J.
Ridley, Sir M. W.
Rogers, J. J.
Rose, W. A.
Sclater-Booth, G.
Smith, A.
Smith, S. G.
Smollett, P. B.
Somerset, Colonel
Somes, J.
Stronge, Sir J. M.
Stewart, Sir M. R. S.
Surtees, H. E.
Sykes, Colonel W. H.
Taylor, Colonel
Tite, W.
Tollemache, J.
Torrens, R.
Trefusis, hon. C. H. R.
Treherne, M.
Trevor, Lord A. E. H.
Trollope, rt. hon. Sir J.
Vance, J.
Verner, Sir W.
Verner, E. W.
Walcott, Admiral
Waldegrave-Leslie, hon. G.
Walker, J. R.
Whiteside, rt. hon. J.
Whitmore, H.

TELLERS.

Lefroy, A.
Newdegate, C. N.

IRELAND—MAIL SERVICE.—QUESTION.

Mr. DAWSON said, he rose to ask the Secretary to the Treasury, When the alterations in the Mail Service between Dublin and the city of Londonderry, as promised by the Postmaster General in the month of March last, will come into operation?

Mr. PEEL replied that the 1st of July next was the day fixed for the commencement of the mail service referred to by the hon. Member.

COLONIAL BISHOPS—SEE OF RUPERT'S LAND.—QUESTION.

Mr. GRANT DUFF said, he would beg to ask the Secretary of State for the Colonies, What arrangements have, in compliance with the recent decision of the Judicial Committee of the Privy Council, been made with reference to the See of Rupert's Land?

Mr. CARDWELL, in reply, said, it was in the knowledge of the House that the Judicial Committee of the Privy Council had decided against the validity of the jurisdiction conferred by Letters Patent on the Bishops of the colonies having representative institutions, and it was the opinion of the Government, after that decision, that the whole subject of the Letters Patent to the Colonial Bishops ought to be carefully considered, and that in the meantime no Letters ought to be issued to any colonies. It was, however, important that no delay should take place in the appointment of a successor to the Bishop of Rupert's Land. The course, therefore, which had been pursued was that, under the advice of the Law Officers of the Crown, a letter had been addressed by the Archbishop of Canterbury to him (Mr. Cardwell), and in consequence of that letter Her Majesty had been pleased to issue a mandate to the Archbishop authorizing him to consecrate a Bishop, but no Letters Patent would be issued purporting to convey jurisdiction conferred by the Crown.

THE FOREIGN OFFICE—AUDIT.

QUESTION.

Mr. W. EWART said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether there is any general system of audit for the Foreign Office; whether the Accounts are audited every year; when they were last audited; and whether the Auditor is a person of official responsibility, and acting under official authority?

Mr. LAYARD: In reply to the first

question, there was no general system of audit in the Foreign Office. The diplomatic and consular accounts were somewhat complicated. Only a small portion of the money actually expended went through the Foreign Office, and that was the sum expended upon extraordinaries, such as telegraphic messages, messengers, and special missions, amounting to £30,000 or £35,000 a year. As regarded the members of the Consular Service, they were paid by the Paymaster General from lists made up at the Foreign Office, and with the audit of this department the Foreign Office had nothing to do. The accounts of moneys actually expended by the Foreign Office ought to be audited every year, but they were not generally so, as it was very difficult to get in all the accounts, especially those with reference to foreign missions, whilst the messengers' accounts were often in arrear for nearly a whole year. The whole of the accounts of the Foreign Office were audited up to March last year, but they had not been entirely audited up to the end of the financial period this year, because the messengers' accounts had not been received. All those which could be obtained had been audited. As to the question whether the auditor had any official responsibility, and was under official authority, the auditor was the permanent Under Secretary of State, the accounts were made up by the Chief Clerk and forwarded to the Under Secretary, who audited them and sent them back to the Chief Clerk, who then presented himself before one of the Barons of the Exchequer, and declared that the accounts were just and true. This was a system which had existed for a very long period, at the same time the Foreign Office would be glad if the accounts could be audited by the Audit Office; but the accounts were peculiar, and it would be difficult to suggest a satisfactory mode of audit. The Chief Clerk would be much better able to state whether an account relating to expenditure in foreign countries was right or wrong than any person employed by the Audit Office.

POLLUTION OF RIVERS.

QUESTION.

Lord ROBERT MONTAGU said, he rose to ask the Secretary of State for the Home Department, Whether a Commission is to be appointed to inquire into the state of the rivers of England, and the best means of remedying the pollution of rivers by mines and factories; and, if so, whether he will lay upon the table a Copy of the Instructions given to that Commission; and how soon it is expected that the Commission will have completed the inquiry?

Sir GEORGE GREY, in reply, said, a Commission, consisting of three persons possessing engineering and chymical knowledge, had been appointed to make inquiries in certain districts in which the principal manufactures were carried on upon the subject intimated by the noble Lord. He had no objection to produce a copy of the Commission and also a copy of the Letter of Instruction addressed to the Commissioners, indicating the basis upon which their inquiry should be carried on. It was impossible to say how soon these inquiries would be concluded.

POLICE—HOUSES OF PARLIAMENT.

QUESTION.

Lord ROBERT MONTAGU said, he would now ask the Under Secretary of State for the Home Department, Whether the Police Constables on duty in the Houses of Parliament, Palaces, and Public Buildings have been removed from the first to the third class; and, if so, for what reason; whether Constables who have been in the Force for as long as twenty or thirty years are similarly treated; whether they are prevented from contributing to the extra pension fund; whether their reduction from the first to the third class will affect the amount of the pension which they will receive; and what class of certificate those who have been reduced from the first to the third class will receive for many years' service in the Government Offices and other Public Buildings?

Mr. T. G. BARING said, in answer to the first part of the question of the noble Lord, he had to state that all the police constables were of equal rank; but, owing to a recent arrangement which had been made for increasing the pay of the police, they were divided into different classes in respect to pay, and the constables employed in the palaces, the Houses of Parliament, and other public buildings continued to receive the same pay as they had received before that arrangement—namely, a guinea a week. He might observe that these men had originally been in the first class as regarded pay, but owing to a change made in 1864 they came into the second class, and in consequence of the recent alteration in pay they now stood in the third class. The reason why the Commissioners had thought it unnecessary to increase the pay of the police employed in the palaces and the Houses of Parliament and other public buildings was, that in addition to their pay they received extra allowances, in some cases amounting to seven shillings a week; so that, taking this into account, they were better paid than any other constables, except those employed on special service. Such of the constables as, if elsewhere, would have received a higher pay under the new regulations, have the option of giving up their employment in the Houses of Parliament; but they preferred to remain there and receive this allowance rather than take other duty and get the pay of a higher class. It might be that constables who had been in the force for twenty or thirty years had found themselves in the position which he had just described. He did not quite understand what was meant by that portion of the noble Lord's Question in which he asked whether they were prevented from contributing to the extra pension fund. He presumed, however, that it alluded to a regulation of August, 1864, defining and explaining what extra allowance should, and what extra allowance should not, count in respect of pension. Without going into details, he might say that those who had been paying on the extra allowance continued to do so; but those constables who entered after a certain date were only to be allowed to subscribe to the superannuation fund according to the amount of their pay, and not in respect of extra allowance. The character of the certificate to a police constable did not depend on the class to which he had belonged, but on his conduct; and therefore the change to which the noble Lord referred would not affect the certificate.

BRITISH GUIANA—COOLIES.

QUESTION.

Mr. KINNAIRD said, he would beg to ask the Secretary of State for the Colonies, Whether his attention has been drawn to the great mortality that has recently occurred among the Coolies in their transport to Demerara, and especially on board the ships *Clarence* and *Earl Russell*, and whether anything can be done to render the passage less destructive to life, or so to regulate the Emigration as to hinder persons being embarked who are not in sound health?

Mr. CARDWELL said, in reply, that his attention had been directed to the case of three ships, on board which, while on their passage from Calcutta to British Guiana, between the months of November and January, there had been an unusual mortality among Coolies. Two of those ships were the *Clarence* and the *Earl Russell.* An inquiry had been instituted at British Guiana by the authorities there, who reported that they found nothing in the ships themselves or in their diet or management to account for that mortality. The disease originated in Calcutta. The Governor attributed it to a deposit of matter left by the inundations caused by the cyclone which had done such serious damage at Calcutta. An inquiry was going on at Calcutta respecting this matter. He was glad to say that, probably owing to the sanitary precautions taken at Calcutta, and on board the ships, the general mortality had been decreasing of late years.

NEW ZEALAND—SEPARATION OF PROVINCES.—QUESTION.

Lord ROBERT CECIL said, he rose to ask, Whether the Government have come to any decision on the Petition from Auckland, praying for a separation of the Northern Province from the other Province of New Zealand?

Mr. CARDWELL replied that he had not received the promised Report of the Governor on the subject of the petition from Auckland, praying for the separation of the Northern and Southern Provinces of New Zealand. The Government would not come to any final decision until that Report was received; but, as at present advised, they saw no reason to give any encouragement to such a proposal.

LEEDS BANKRUPTCY COURT COMMITTEE.—COMMITTEE NOMINATED.

Sir Francis Baring *reported* from the General Committee of Elections; That in pursuance of the Order of the House, they had nominated the following five Members to constitute the Select Committee on the Leeds Bankruptcy Court:—Edward Christopher Egerton, esquire, Thomas William Evans, esquire, Edward Howes, esquire, Colonel the hon. E. G. DOUGLAS PENNANT, HENRY HUSSEY VIVIAN, esquire; and had also named The LORD ADVOCATE and WILLIAM BOVILL, esquire, to serve on the Select Committee, to examine witnesses, but without the power of voting.

Report to lie upon the Table.

ADJOURNMENT OF THE HOUSE.

Motion made, and Question proposed, "That the House at rising do adjourn till *Thursday* next."—(*Viscount Palmerston.*)

COLONIAL DEFENCES.

QUESTION.

MR. WARNER said, he would beg to ask the Secretary of State for the Colonies, What is the understanding between the Home Government and Colonies possessing Representative Institutions as to the defence of those Colonies in the event of any future war? This was a subject of great importance, and he hoped he should obtain a satisfactory answer, for he found that the Governor of the Cape of Good Hope had persuaded or compelled the Kaffirs to occupy and colonize some territory on the other side of the River Kei. This was an act totally unconnected with the Colonial Legislature—it was not their policy and they had nothing to do with it. In reply to a Question he asked the right hon. Gentleman last night, he said that the responsibility of defending the Cape Colony had fallen on this country, and that the colony contributed very little to the expenses of that defence. The right hon. Gentleman also said that the Governor in offering a settlement to the Kaffirs was acting under instructions from home, and that it involved no complications and no possibilities likely to lead to war. He was glad to hear that, but some of the colonists were of a different opinion—they thought it would lead to war, and some of them were no doubt anxious it should. But the policy of this country with regard to the colonies ought to be such as would throw all the responsibility of such complications upon the Colonial Legislature, which held to the Queen only a nominal allegiance, and did not acknowledge the control of this House. They must all recollect that they already had had several disastrous affairs in the Cape Colony, and that the last Kaffir war was exceedingly burdensome to this country, was conducted with unheard-of cruelties on the part of the natives, and cost a great deal of money, the expenditure of which was of no benefit except to contractors. Under such circumstances as these, considering the disinterested position in which we stood as between the Natives and the colonists, we ought to take care that if war did arise the colonists should be bound to bear the whole burden of it, and that if we give any help it should be of a voluntary character instead of being cast upon us by the policy of our own Governor. He hoped that some understanding had been clearly laid down between the colony and the mother country as to the future. They heard a good deal of the loyalty of the colonists, but he appreciated that sort of loyalty which would stand the test of taxation.

MR. CARDWELL said, he was sorry his hon. Friend was not satisfied with the explanation which he gave last night, and the more so as he appeared to have entirely misunderstood one of the propositions contained in that explanation. His hon. Friend seemed to have understood that he laid down as a proposition that the expenses of any future Kaffir wars should be defrayed mainly by this country, and that the colony should bear but a small proportion of them. What he stated was much to the contrary. When his hon. Friend put his Question to him last evening, he (Mr. Cardwell) referred his hon. Friend to the papers laid on the table during the present Session, showing that the Governor, acting under instructions from home, had been taking those measures best calculated to prevent the risk of a Kaffir war by limiting our possessions to the Kei, and by offering to the Kaffirs territory for settlement there, and thus giving them cause for contentment, and diminishing the risk of war. His hon. Friend must also know that in the course of the present Session an Act of Parliament had been passed for the purpose of including the Territory of British Kaffraria within the Territory of the Cape Colony, one of the reasons adduced for which was that it would be more natural to call upon the Cape Colony to contribute a fair share of the expenditure under the new arrangement than under the old. He was not prepared to agree with his hon. Friend that, as a matter of course, the placing of Native affairs more and more under the control of representative institutions in which the Natives had no share, was the best means of preventing these difficulties with the Natives. That must be a matter of judgment under all the circumstances. If his hon. Friend would refer to the papers laid upon the table during the present Session, he would see that it had been the earnest desire, both of the Governor of the Cape of Good Hope and the Home Government, to avoid all extension of territory, to choose that frontier best calculated to avert risk of war, and the most easily defensible in the case of war, and to make those friendly arrangements with the Kaffir tribes which would give them just cause of contentment and peace.

COLONEL FRENCH inquired whether, in the event of the Motion for the adjournment of the House being agreed to, the noble Lord at the head of the Government would undertake to keep a House during the remainder of the night, as there were several very important Motions on the Notice Paper?

UNITED STATES—THE "ALABAMA."

QUESTION.

MR. SHAW LEFEVRE: As some misapprehension was caused by the answer of the noble Lord (Viscount Palmerston) the other night, to a question put by the hon. Member for Radnorshire (Sir John Walsh) I wish to ask, Whether the communication which the noble Lord said had been received from the United States Government, with respect to the losses caused by the *Alabama* and other similar vessels, is in any way contradictory in tenour and spirit to Mr. Adams's despatch of October, 1863, in which he stated that, in order to preserve amity and friendship between the two countries, he was instructed by his Government to postpone any question which might arise with reference to the depredations of the *Alabama* to some future time, when it could be discussed with calmness. And I also wish to ask, whether that communication was dated before or after the accession of President Johnson.

VISCOUNT PALMERSTON: I can only repeat what I said on a former occasion—that communications have been going on between the two Governments for a considerable time past with regard to the captures made by the *Alabama* and other ships of the same kind. My hon. Friend wishes to know whether, in a recent communication, the identical words are repeated which were contained in any former one. I am not aware that the identical words are used; but the general tenour of the communication is

the same, and refers to the same matters as the previous communications, a certain portion of which have been laid before Parliament, and are now on the table of the House. My hon. Friend asks whehether the last communication was made since the accession of President Johnson. It was made here since that time; but whether the instructions upon which it was made were issued by President Lincoln or President Johnson, I cannot inform you.

LORD ROBERT CECIL: I understood the noble Lord at the head of the Government to say that the former demands on the subject of the *Alabama* had been conveyed in a correspondence, of which a portion had been laid before Parliament. I wish to ask the noble Lord, what are the dates, or at least what is the approximate period of the correspondence relating to the demands on account of the *Alabama* which has not been laid before Parliament?

VISCOUNT PALMERSTON: I am unable to answer off-hand the question of the noble Lord.

MR. W. E. FORSTER: Is it not possible, in a case of such considerable importance, for the Under Secretary for Foreign Affairs or some other person on behalf of the Government to give a more explicit answer to the Question which has been put by the hon. Member, because the fact is one of very considerable importance. There seems to be an impression abroad—I believe an unfounded impression—that since the accession of President Johnson claims with regard to the *Alabama* have been made in a different spirit from that in which they were made formerly. I rather gather from the Question of the noble Lord (Lord Robert Cecil) that he is not altogether satisfied with the reply of the noble Lord at the head of the Government. It is of importance that the mind of the country should be set at rest upon this subject; and if it be the case, as I believe it is, that no fresh feature has been introduced into the claims on account of the *Alabama* within these few months, I hope the Under Secretary for Foreign Affairs will be able to state that distinctly.

MR. LAYARD: The case is very simple. The original demand was that contained in papers which have been laid on the table of the House last year, or at the end of the previous Session. Whenever cases have arisen, whether solitary or otherwise, of vessels captured by the *Alabama* and other ships of that nation, Mr. Adams, in putting forward the claim in each particular case, has reiterated the original claim almost in the same words. A short time ago, in a Note which reached Her Majesty's Government before the death of President Lincoln, that demand was incidentally renewed in words almost identical with the original claim. That is the state in which the case rests at present. There has been no fresh demand, neither has the claim been withdrawn. The demands which have been made of late are continuations of the original demand.

Motion *agreed to.*

House at rising to adjourn till *Thursday.*

BANKRUPTCY ACT (1861).—RESOLUTION.

MR. MOFFATT, in rising to call attention to the Report of the Select Committee on the Bankruptcy Act of 1861, and the existing state of the Laws in regard to Debtor and Creditor; and to move, that, in the opinion of this House, the Report of the Select Committee on the Bankruptcy Act of 1861 deserves the prompt and serious consideration of Her Majesty's Government, said, that on the former occasion on which this subject was before the House, when the discussion came to a somewhat untimely end, he showed by documents which were before the House the existence of a state of things which fully warranted the complaints which were made on all sides. The affairs of bankruptcy appeared to have always been dealt with in the most unsatisfactory manner for the commercial interests of the country. The state of things previous to the passing of the Act of 1861 was bad enough, but he believed that there was no man who would not gladly return to it rather than maintain the existing law. In the three years previous to 1860 the number of bankruptcies was about 1,200 in each year, the debts proved averaged £5,100,000, and the moneys collected £1,300,000—a sum equivalent to about 5*s.* in the pound; this it was true was diminished by official charges and by misappropriations, which were described by Sir Richard Bethell in the present Parliament as the "scandal and abomination," of the Act then in force. Under the Act now in force the number of bankruptcies had risen from 1,200 to nearly 7,500 annually; and in from 5,000 to 6,000 of these cases the insolvents were allowed to escape without paying any dividend, while the cost of whitewashing these insolvents was paid by the State. The first point with creditors connected with commerce always was to avoid an appeal to the Bankruptcy Court; this indisposition to resort to that Court became an engine in the hands of the debtor for the dictation of the terms upon which he would compound his debts. The result was that there had sprung into existence a practice so tinged with fraud that it might fairly be termed a fraudulent system. When a man found it convenient to stop payment he placed his affairs in the hands of an accountant or solicitor, who prepared a circular, which the insolvent signed, informing his creditors of the circumstance, and referring them to these gentlemen for further particulars. Attorneys and accountants were generally honourable men, who would not knowingly make a false statement; but they took exactly what they found upon the insolvent's books, and from them prepared a statement which they laid before the creditors. It was impossible to get any creditor to investigate these accounts merely that he might obtain a larger dividend for himself in common with sixty or seventy other creditors, and the consequence was that the greatest facilities were afforded for fraudulent insolvencies. Last week insolvencies were announced in the public papers to the amount of £5,500,000, and of none of these would anything be heard again. They would commence with a promise to pay 10*s.* or 15*s.* in the pound, which would gradually dwindle down to 2*s.*, 3*s.*, or 4*s.* in the pound. The explanation was to be found in the existing state of the law. A Committee of that House had inquired into the law, and had recommended the abolition of the machinery of the present bankruptcy system and the substitution of a system somewhat similar to that which now existed in Scotland, placing the affairs of the insolvent very much in the hands of the creditors, and establishing a machinery by which estates could be worked without the delays which had resulted from the joint action of the official and creditors' assignees. It had also recommended the abolition of arrest for debt, and the curtailing of the facilities that insolvents now enjoyed for obtaining certificates. He desired to know whether the Government intended to adopt the recommendations of the Committee, and to take measures for the remedy of a state of affairs which was injurious to mercantile interests and discreditable to the Legislature of the country. The hon. Gentleman concluded by moving that, in the opinion of this House, the Report of the Select Committee on the Bankruptcy Act of 1861 deserves the prompt and serious consideration of Her Majesty's Government.

Mr. AYRTON, in seconding the Motion, said, that on a more favourable occasion he should have felt it his duty to present to the House fully and completely the Resolutions at which the Committee upon this subject had arrived ; but as his hon. Friend had now been almost as unfortunate in his selection of a night as he was when the matter was last before the House, he would confine himself to the statement that the changes proposed by those Resolutions were of so fundamental a character, and would so affect almost every section of the statute now in force, that it would be impossible to carry them into effect by any mere amending Act, and that it would be necessary to give effect to the concluding Resolution, and introduce an independent Bill for the amendment and consolidation of the law. It could scarcely be expected that the Government would during the short time which remained of the present Session pass any comprehensive measure on the subject, but he hoped the Attorney General would be able to assure the House that it would receive their serious consideration, with a view to legislation when the new Parliament met. Meantime he had great pleasure in seconding the Motion of his hon. Friend.

Motion made, and Question proposed,

> That in the opinion of this House, the Report of the Select Committee on the Bankruptcy Act of 1861 deserves the prompt and serious consideration of Her Majesty's Government.—(*Mr. Moffatt.*)

Mr. BASS thanked the hon. Member for Honiton (Mr. Moffatt) for the constancy which he had displayed in bringing the state of our bankruptcy law under the notice of the House. The question was one which was at the present moment of the greatest interest to the mercantile community. Of course it would be impossible to carry a Bill with respect to it in the present Session ; but then the Lord Chancellor, who was as familiar with the subject as with his morning and evening prayers, might without the slightest effort produce a measure which might be laid on the table of the House before the dissolution, and considered by the country during the recess. He hoped, he might add, that the Attorney General would, before the Session came to a close, make some explanation to the House as to the principle on which, in his opinion, the Government ought to act in effecting any alteration in the existing bankruptcy system.

Mr. BEECROFT said, that he believed that hon. Gentlemen on both sides of the House agreed that the present law of bankruptcy was most unsatisfactory. In the Session of 1860 the Government introduced a comprehensive measure for the reform of the law of bankruptcy. Its principle met with general approval ; but, though opposed by no one, it did not reach the Upper House. When the House met, the year after, they all supposed that a Bill which had met with so much support would be among the first to be introduced at the commencement of the new Session, and that all parties would unite in perfecting its details. They were all disappointed when they found that the Consolidated Bill was abandoned, and a sort of patchwork Amendment Bill substituted for it. They found, however, that they had Hobson's choice—that or none. That Bill passed with some Amendments. It repealed part of the old law, and altered other parts ; amended some clauses, and left others untouched. No course could be taken more likely to lead to confusion and difference of decision ; and he heard from those engaged in the administration of it that the law was thrown into such a state of inextricable confusion that some parts of it were really rendered very difficult of interpretation. He scarcely need say that the commercial community was very much dissatisfied with the present law and practice of bankruptcy. A very strong feeling of dissatisfaction generally prevailed, and a thorough change in the entire system was loudly called for ; indeed, there were few questions affecting the trading classes of greater importance. He might say that the Leeds Chamber of Commerce was against any attempt merely to amend the law, or any change which would leave the winding-up of insolvent estates in the hands of any court or body of officials whatever, and was as decidedly in favour of leaving such winding-up in the hands of the creditors ; and that no change would be satisfactory or prevent further agitation of the question which did not altogether take out of the hands of officials the winding-up of bankrupt estates, and transfer it to the creditors themselves, as was the case in Scotland. In fact, what the Leeds Chamber of Commerce really wanted was, that the insolvent should be in the Court and the estate out of Court.

THE ATTORNEY GENERAL said, he had no difficulty whatever in stating, as he had stated before, that the Government would undoubtedly recognize the duty of taking into prompt and serious consideration the Report of the Select Committee on the Bankruptcy Acts. He was glad to find that, so far as he had had the opportunity of ascertaining, so many hon. Members concurred in some of the most important recommendations of that Committee. The Committee were quite agreed in the opinion that it was desirable no longer to attempt to patch up a system which had been found not to answer, but that there should be a serious endeavour made to revise, as far as possible, both its principle and its details, and to place them on such a footing as would afford some reasonable ground that we should understand the system on which we were going to proceed in future, and start with a favourable expectation of its success. The Committee had recommended substantially that for which the hon. Member for Leeds (Mr. Beecroft) contended for, with regard to the taking insolvent estates out of the hands of the Court so far as related to the mere collection and distribution of assets, while they had also made the important recommendation that imprisonment for debt should be abolished ; but at the same time, and as a necessary sequel to that alteration, that the discharge given to a bankrupt or insolvent debtor should not at once operate, except on the payment of a dividend of a certain amount. They also proposed to remove from the Bankruptcy Court all cognizance of fraudulent acts and to transfer such matters to the ordinary Courts. These were material alterations, and he mentioned them on the present occasion, not for the purpose of entering into a vindication of their merits, but in order that the attention of the public out of doors might be directed to their consideration. If Parliament were to do anything useful, as he hoped it would in a future Session, it must proceed on the two grounds of endeavouring to consolidate the whole law and of securing the support of public opinion as to those important principles which it was proposed to introduce for the first time into the new system. It was indispensably necessary that the Government in dealing with the subject should be in the possession of the views of the mercantile community upon it, because it would be useless to endeavour to carry a measure which failed to commend itself to their approval. He trusted, therefore, that before the House met again after the recess the attention of mercantile men would be carefully directed to the Report of the Committee, and that there would be a very general expression of opinion upon the question.

MR. GOSCHEN said, that the mercantile community would receive the statement just made with great satisfaction. He hoped that a measure would be prepared ready for the energies of the new Parliament, and if this were so, then their thanks, which were now due to the hon. Member for Honiton (Mr. Moffatt), would be transferred to the Government. He was sure that the appeal of the Attorney General to the commercial classes would be fully answered, and that the question would be amply discussed by them before the next Session. He agreed that the present system must be entirely re-cast, and he believed that the trading community would be glad to learn that it would not be attempted to patch up the present system, but that a new one would be introduced to remedy abuses that were now a disgrace to legislation.

Motion *agreed to.*

Resolved, That, in the opinion of this House, the Report of the Select Committee on the Bankruptcy Act of 1861 deserves the prompt and serious consideration of Her Majesty's Government.—(*Mr. Moffatt.*)

LUNACY LAW.—OBSERVATIONS.

MR. NEATE then rose to call the attention of the House to some defects in the law relating to lunatics, both with respect to the administration of that law and its provisions, and to move an address for copy of any Returns now in possession of Government as to English subjects now in confinement in lunatic asylums abroad. The hon. Gentleman said the subject was one which had very recently been prominently brought under public notice, in consequence of the case of Mary Ryan, who had been forcibly removed from this country, and was proceeding, when—

Notice taken, that 40 Members were not present ; House counted, and 40 Members not being present,

House adjourned at half after Seven o'clock till Thursday.

HOUSE OF LORDS,

Thursday, June 1, 1865.

MINUTES.]—Public Bills—*Second Reading*—Public House Closing Act (1864) Amendment (126); Inclosure (No. 2)* (135); Lancaster Court of Chancery* (78).

Committee—Sewage Utilization* (134); Commissioners of Supply Meetings (Scotland)* (118).

Report—Commissioners of Supply Meetings (Scotland)* (118); Parsonages* (137).

Third Reading — War Department Tramway (Devon)*; Clerical Subscription (138), [H.L.]

METROPOLIS SEWAGE AND ESSEX RECLAMATION BILL.

THIRD READING.

Moved, That the Bill be now read 3ª.

Lord DENMAN rose to move that the Bill be read the third time that day three months. He thought that a work of this kind, which was, in fact, a great public undertaking, ought not to be intrusted to a private company. There was something in the scheme itself which gave it a doubtful aspect. A scheme for raising a capital of £2,800,000 in order to convey the sewage of the metropolis forty miles for the sake of making a tract of barren lands into water meadows, and to grow rye grass, which, when grown, it was difficult to know to what useful purpose it could be turned, was of an extremely hazardous character. Baron Liebig (whose opinion the noble Lord read at some length) had given his decided opinion that sewage applied to sand was not likely to be productive except in the most limited degree, and concluded by expressing a hope that their Lordships would not, on public grounds, sanction a scheme which was in the highest degree experimental and perhaps visionary.

Amendment proposed, "That the Bill be read a third time that day three months."

Lord REDESDALE said, that a full inquiry into the details of the scheme had been made by Committees of both Houses, and it would be rather unusual to throw out the Bill now on grounds of that kind.

The Earl of HARDWICKE said, he knew nothing of the merits of the particular plan involved in this Bill, which seemed to be to convert the Maplin Sands into land fit for cultivation; but as people of small property were frequently induced by the sanction of Parliament to invest their money in these speculative schemes, he thought they should not be too hastily passed. Liebig, the greatest agricultural chemist in the world, looked upon the scheme as impracticable, and was astonished that means had not been taken to test the plan, as it might have been tested, upon a small scale.

Lord CHURSTON (the Chairman of the Committee) said, that most contradictory evidence had been given as to this scheme; but the Committee thought there was a preponderance in favour of its passing. The question of the probable profits was one for the people themselves who put money into the speculation.

On Question, That ("now") stand Part of the Motion? their Lordships *divided:* —Contents 49; Not Contents 4: Majority 45: *Resolved* in the *Affirmative.*

Bill read 3ª accordingly, with the Amendments; further Amendments made; Bill *passed,* and sent to the Commons.

PUBLIC-HOUSE CLOSING ACT (1864) AMENDMENT BILL—(No. 126.)

SECOND READING.

Order of the Day for the Second Reading read.

The Marquess of CLANRICARDE, in moving that the Bill be now read the second time, said, that as he understood there was no opposition to the Bill he should confine himself to stating its principal provision. Their Lordships were, of course, aware that in the last Session of Parliament a Bill was passed by which certain public-houses and other places of refreshment where disorderly assemblages had taken place, and which in some instances were allowed to keep open day and night, were closed at one o'clock. That bill, he believed, had effected much good in that part of the town for which it was intended; but, on the other hand, it had been found to bear rather hard on certain classes of persons engaged in occupations the very nature of which required that they should work late at night, and who found themselves debarred from obtaining necessary refreshments. Their Lordships could not fail to have observed that large numbers of persons were, in fact, employed at almost all hours of the night, and it was undoubtedly true that the Act of last Session operated harshly in their case by keeping them until four o'clock before they could obtain refreshment, however much they might require it. Those who attended the markets at an early hour, and the compositors and others engaged in newspaper offices, and some other places where documents had to be printed for circulation early in the morning, especially felt the inconvenience to which he had referred. The Bill, therefore, proposed to allow certain houses to be open for the convenience of those persons in certain localities between two o'clock and four, still compelling even those houses to be closed for one hour, and thus tending much to prevent any abuse of the Act. Ample power, too, was provided in the Bill for the closing of any houses specially licensed under this measure in case of disorderly persons being permitted to make use of them as places of resort.

Moved, That the Bill be now read 2^a.—(*The Marquess of Clanricarde.*)

EARL GRANVILLE thought that the Bill was a very desirable one, and would not oppose the second reading. There were, however, a few Amendments which might be made in Committee, and to which he hoped the noble Marquess would not object.

LORD REDESDALE said, that it would be very difficult to carry out the Bill in such a way as not to give an undue advantage to the owners of houses that were fortunate to obtain licenses; or, on the other hand, to open the whole of the houses in a particular district, and thus to do away with much of the benefit that had been derived from the Act of last Session. He would not, however, oppose the second reading.

Motion *agreed to:* Bill read 2^a accordingly; and *committed* to a Committee of the Whole House on *Tuesday* the 13th *Instant.*

CLERICAL SUBSCRIPTION BILL.

(NO. 138.) THIRD READING. BILL PASSED.

Bill read 3^a (according to Order).

LORD CHELMSFORD proposed that the word "or" in the 26th line of Clause 4 be struck out.

Amendment *agreed to.*

Amendment proposed in page 2 line 28, After ("Supremacy") insert ("according to the Forms set forth in the Twelfth Section of the Statute passed in the First Year of the Reign of King *William* and Queen *Mary,* Chapter 8, intituled "An Act for the Abrogation of the Oaths of Supremacy and Allegiance, and appointing other Oaths").

Amendment *agreed to.*

Line 33, After the Second ("the") intert ("said").

Amendment *agreed to.*

In the Schedule:

Page 5, Line 14, After ("of") insert ("Three and").

Line 17, After ("he") insert ("shall first").

Amendments *agreed to.*

THE EARL OF SHAFTESBURY said, that had he been present on Monday and Tuesday evenings he would have ventured to address a few observations to their Lordships upon that Bill, but he had been unavoidably absent on both of those occasions. He would, therefore, then content himself with merely stating that he accepted that Bill as a most valuable middle term, considering the difficulties which surrounded its subject. He rejoiced that so many eminent men of discordant opinions had arrived at an unanimous conclusion on that question, and he did hope and trust that by the blessing of God the measure would operate beneficially to the interests of the Church.

Bill *passed* and sent to the Commons.

PROTEST

Against the Third Reading of the Clerical Subscription Bill.

"*DISSENTIENT:*

"1. Because that while agreeing that it is expedient to simplify and assimilate the Laws of Clerical Subscription in all the Provinces of the United Church of England and Ireland, and while acquiescing in the general Reasonableness of the Recommendations made in the Report of the Royal Commissioners upon which this Bill is founded, we deem it inconsistent with the ancient Customs of this Church and Realm that in a Spiritual Matter so nearly affecting the whole Body of the Clergy, Canons enacted with the Assent of the Crown by the Bishops and Clergy synodically assembled should be altered or annulled without a Royal Licence previously given to them to re-consider and alter those Canons.

"2. Because the Course taken in the bringing in and passing this Bill, which alters, without the Concurrence of all the Bishops and Clergy of the Church in England and Ireland synodically assembled, Canons of the Church respecting Clerical Subscription as a Condition of Admission into Holy Orders, is regarded by us as not only without adequate Precedent, but without sufficient Ground of general Expediency.

"3. Because we think that the passing of this

Bill, *with* the Concurrence of the English, but *without* the Concurrence of the Irish Bishops and Clergy synodically convened, may appear prejudicial to their undoubted Right to a full Participation in the Common Privileges of the Spirituality of the United Church, a Right declared by the Parliaments of Great Britain and Ireland to be an essential and fundamental Part of the Union of those Kingdoms.

"Richd. C. Dublin.
"Wm. Killaloe, &c.
"H. Kilmore."

House adjourned at a quarter past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, June 1, 1865.

MINUTES.]—Select Committee — *Report* — Taxation of Ireland.

Supply—*considered in Committee* — Civil Service Estimates — Class II. — Salaries and Expenses of Public Departments.

Public Bills—*Resolution in Committee*—Sugar Duties and Drawbacks.*

Second Reading — Malt Duty * [160]; Inland Revenue * [161]; Militia Ballots Suspension *; Militia Pay*; Navy and Marines (Wills) *[180]; Navy and Marines (Property of Deceased)* [181]; Naval and Marine Pay and Pensions * [182]; District Church Tithes [*Lords*] * [186]; Trespass (Scotland) * [98]; Wick and Ayr Burghs Election * [166].

Referred to Select Committee—Harwich Harbour * [137].

Committee — Navy and Marines (Wills) * [180]; Navy and Marines (Property of Deceased * [181]; Naval and Marine (Pay and Pensions * [182]; Local Government Supplemental (No. 4) (*re-comm.*) * [132]; Drainage and Improvement of Lands (Ireland) (Provisional Order Confirmation) (No. 2) * [163]; Inns of Court (*re-comm.*) * [164]; Record of Title (Ireland) [*Lords*] [151.]

Report—Salmon Fishery Act (1861) Amendment * [117]; Navy and Marines (Wills) * [180]; Navy and Marines (Property of Deceased) * [181]; Naval and Marine Pay and Pensions * [182]; Local Government Supplemental (No. 4) * (*re-comm.*) [132]; Drainage and Improvement of Lands (Ireland) (Provisional Order Confirmation) (No. 2) * [163]; Inns of Courts (*re-comm.*) * [164].

Third Reading—Dockyard Extensions * [145].

Withdrawn — Bank Notes Issue [123]; Court of Chancery (Ireland) (No. 2) * [25]; Court of Chancery (Ireland) (No. 3) * [38]; Judgments (Ireland) * [68].

INDIAN BUDGET.—QUESTION.

Mr. J. B. SMITH said, he would beg to ask the Secretary of State for India, Whether it be his intention to bring forward the Indian Budget this Session; and, if so, at what period?

Sir CHARLES WOOD: It is my intention, Sir, to bring forward the usual Indian statement this Session, but in the present state of the public business I am unable to fix a day.

INDIA—WAR IN BHOOTAN.

QUESTION.

Sir MINTO FARQUHAR said, he would beg to ask the Secretary of State for India, What information he can give the House concerning the War in Bhootan?

Sir CHARLES WOOD, in reply, said, he apprehended the state of the case to be this—Certain posts had been occupied before the winter. One of them had been attacked, and, he must say, very disgracefully abandoned; but it had since been retaken. It had not, however, been thought advisable to re-occupy it during the rainy season. A second post had been abandoned without having been attacked; but it also had been very gallantly retaken by the force. He believed it was not intended to occupy that at present, either. The information on these subjects was very incomplete, and he was unable to make out exactly what had been done. The European troops had been re-called, except a small portion of artillery, and every precaution had been taken toinsure the health of the troops.

INDIA — MORTALITY IN THE ROYAL ARTILLERY ON THE MARCH FROM MHOW TO KIRKEE.—QUESTION.

Sir MINTO FARQUHAR said, he would beg to ask the Secretary of State for India, Whether his attention has been drawn to a statement which has lately appeared in the newspapers with reference to casualties which befel a detachment of Royal Artillery ordered on the 11th of April last to set out on a march from Mhow to Kirkee, and whether he has received any Report on the subject?

Sir CHARLES WOOD said, in reply, that no official Report had been received on the melancholy occurrence to which the question of the hon. Member referred. He was, however, sorry to say there could be no doubt of its being true that a detachment of Royal Artillery had been ordered to march from Mhow to Kirkee, and that a great mortality had occurred in the course of the march. The number which had been mentioned included both women and children. There seemed to have been some misunderstanding between the military authorities and the officer of the detachment. On its coming to the knowledge of the authorities that there was cholera on the line of march, they at once countermanded the order for the march. He thought it only fair to say that the breaking out of cholera among troops on the march in India was by no means an uncommon occurrence. It by no means followed that in this case it was owing to the march taking place at a particular season of the year, as cholera in India broke out in most healthy seasons and in the most healthy districts.

IRELAND.
CIRCULATION OF LOTTERY TICKETS.
QUESTION.

MR. NEWDEGATE said, he wished to ask Mr. Attorney General, Whether the attention of the Government has been directed to the circulation of Lottery Tickets by different Societies in Ireland, great numbers of which have been sent by Post to different persons in England; whether the issuing, circulating, disposing, and purchasing of such Lottery Tickets is not illegal, and does not render the parties liable to heavy penalties; and whether, if the practice be continued, the Government will be prepared to prosecute the offenders?

THE ATTORNEY GENERAL said, in reply, that he believed that certain charitable associations in Ireland had been endeavouring to raise money for charitable objects in that country by means of tickets which, in the eye of the law, bore the character of lottery tickets; and, unless the transactions were legalized under the Art Unions Act they would in his opinion certainly be illegal. The practices described in the question of the hon. Member seemed to be of an illegal character, and such as, speaking generally, would subject the perpetrators to penalties. To enable the Government to judge whether the evidence was sufficient for the purposes of prosecution it would be necessary that charges should be made, and that those charges should be supported by proper evidence.

PIERS AND HARBOURS.—QUESTION.

MR. WALDEGRAVE-LESLIE said, he would beg to ask the President of the Board of Trade, As to the relations existing between the Board of Trade or its officers and the promoters of certain Provisional Orders of the Board of Trade, embodied in the Piers and Harbours Orders Confirmation Bill; and whether he can give any information as to the intention or not of the promoters of certain Provisional Orders in the said Bill proceeding with the schemes connected with those Provisional Orders?

MR. MILNER GIBSON said, in reply, that the relations existing in the case referred to were the same as existed between the Board of Trade and all other promoters who applied under the Act of Parliament for Provisional Orders. Unless there were reasons of public policy which induced the Board of Trade to deny that Provisional Order, they left it to the opponents of the scheme to make their opposition before a Private Bill Committee. He could not say whether the promoters of the schemes alluded to by the hon. Member were likely to proceed with them or not. He knew nothing of the parties.

REVISION OF THE LITURGY.
QUESTION.

MR. SHAW LEFEVRE said, he would beg to ask the Secretary of State for the Home Department, Whether it is true that the Crown has granted a Licence to the Convocation of Canterbury to alter the form of Subscription now taken by the Clergy; and, if so, what grounds there are for granting such a Licence pending legislation by Parliament?

SIR GEORGE GREY: Sir, no licence has as yet been granted by the Crown to the Convocation of Canterbury for the purpose alluded to by my hon. Friend. What has occurred is this—Her Majesty's Government were informed by the Archbishop of Canterbury that he had reason to believe that the Convocation of that Province would concur in the recommendations of the Royal Commission on Clerical Subscription, and would desire to express that concurrence by an alteration of the 36th and one or two other canons relating to the subject, so as to bring them into harmony with the alteration of the law to be made by Parliament; and the Archbishop expressed the hope that the Convocation would be allowed to do so. Her Majesty's Government thought it right to decline to invite, as was suggested, the action of Convocation on this matter, as such a course might have implied an opinion, which they do not entertain, that the concurrence of Convocation is necessary to the proposed change in the law; but the Archbishop was informed that if, on the meeting of Convocation, it should apply to Her Majesty for a licence to enable it to alter the canons for the above purpose, Her Majesty would be advised to comply with such a request. I have only this day received from the Archbishop an address from Convocation praying for a licence, but the form in which the application has been made is one which prevents me from saying without further consideration and communication with others how far Her Majesty can be obliged to comply with the prayer of the address. I may add that the Convocation of the Province of York unanimously agreed to an address to Her Majesty approving the recommendations of the Commission, and expressing their desire that legal effect should be given to them. The Archbishop of York has since requested that this address may be considered as an application for a licence in the event of a licence being granted to the Convocation of Canterbury.

BANK NOTES ISSUE BILL—[Bill 123.]

THIRD READING.

Order for Third Reading *To-morrow* read.

Mr. BENTINCK said, he wished to ask Mr. Chancellor of the Exchequer, What course he intends to adopt with regard to this Bill, which stands on the paper for to-morrow night?

The CHANCELLOR of the EXCHEQUER: Sir, the Question of the hon. Gentleman affords me a convenient opportunity for stating the course which Her Majesty's Government intend to adopt with regard to this Bill. In the view of Her Majesty's Government the Bill contains concessions to the issuers of private notes which they would not have deemed themselves justified in asking Parliament to sanction had they not hoped that thereby a general agreement would be arrived at between themselves and the country bankers. Unfortunately, however, recent proceedings out of doors showed that no such agreement exists, and therefore it is not the intention of the Government to proceed with the Bill. Her Majesty's Government, however, do not propose to abandon their intention of prosecuting the subject, and, in the absence of such an agreement as I have referred to, they may conceive it to be their duty to take up the question on a future occasion upon broader grounds, and they reserve to themselves the power of determining whether it would or would not be right that on the first convenient opportunity, which I am not prepared to say will occur during the short remainder of the Session, they should invite the assistance of Parliament to investigate this subject by means of a Committee.

Order *discharged:* Bill *withdrawn.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

DRAINAGE AND IMPROVEMENT OF LANDED PROPERTY (SCOTLAND).

OBSERVATIONS.

Mr. WALDEGRAVE-LESLIE, in calling the attention of the House to the difficulties connected with the draining and improvement of Landed Property in Scotland, under Drainage and Improvement Acts, from the want of an Architect or Land Surveyor in the London Office of the Inclosure Commissioners who is acquainted with the Scotch system of draining and the requirements of and mode of erecting farm buildings and cottages in Scotland, said, Sir, my reason for bringing forward this matter is that there are two important companies which have extensive powers of lending money for the purpose of effecting improvements in landed property in Scotland, and that the action of these companies is impeded by their having to send up their plans to the office of the Inclosure Commissioners in London. The House has heard a great deal about landowners in England pulling down cottages, but I must say to the praise of Scotland the landowners of that country formed themselves into an association for the purpose of improving cottage accommodation as much as possible. They engaged an architect who prepared a scheme of plans and specifications which, if carried out, would have proved most suitable to the wants of the community. Those plans have been quite ignored by the principal Inclosure Commissioners in London, whose sole idea seems to be that bricks in any quantity and at any price can be procured in Scotland; and they cannot understand that it is essential that where only stone can be got, stone should be used. I may refer to the last Census Report for Scotland, which states that—

> "The style of building houses materially differs in England and in Scotland, and probably the peculiarity of each receives a ready explanation in the fact that the English houses are generally constructed of brick, and are of a slight build, whereas in Scotland the houses are generally built of durable stone, and will last for ages, and, from the greater thickness and strength of the walls, may be run up to any height."

The Report goes on to state that—

> "If the Returns for Scotland on the matter of houses are utterly worthless, it must be understood that the blame lies not with the Scottish officials, for they were against their better convictions forced to accept the erroneous definition of a House which had been adopted in England in 1851 and re-imposed in 1861."

I went the other day to the office of the Inclosure Commissioners in St. James's Square to inquire the number of plans for cottages which had been sent up this year under the Improvement Act, and I was surprised to find that not a single plan had been sent up; in fact, I understand the association have come almost to the determination to dissolve themselves, on account of the great impediments thrown in their way by the Commissioners. The habits of the people are so totally different from those of England, and the climate itself requiring a different kind of cottage, it is unreasonable in the Commissioners to expect that the same kind of cottage should be erected as they require for England, and I am surprised that the recommendations of the Inspectors, who are most competent men, should not have been received with more respect. I have here a letter from Mr. Walker, the architect of the Association for the Improvement of Cottages, who says—

> "Knowing that you as well as the other landowners in Scotland are aggrieved that the Inclosure Commissioners insist upon a scale of plan for their labourers' cottages considerably above what they are occupying or what can be afforded on Scotch farms in general, and thus preventing landowners from availing themselves of the power of borrowing money of the association; and, being deeply impressed with the vast importance of the subject, I hereby solicit you as one so well acquainted with all its bearings to lay before the Inclosure Commissioners the plans which this association, after years of the most minute and extensive inquiries and deliberation, have found to meet in the best manner all the wants of our agricultural labourers, so as to promote their social improvement; and to state how very much it would forward cottage building in Scotland were the Commissioners to authorize the borrowing of money from the Lands Improvement Commissioners for this purpose upon the plans herewith sent or upon any others issued from the office of this association, under the sanction of its directors."

Then, in another letter, he says—

> "I have been repeatedly asked to make such plans of cottages and farm-steadings, which have been abandoned in consequence of the Commissioners insisting on much greater accommodation, and a much different and stronger construction than is necessary, or can be, in many cases, afforded in Scotland. Where we have two-feet stone walls, it is quite unnecessary to have joistings 12 inches thickness; the walls perhaps not being more than 8 feet high. This adds very considerably to the expense, while joistings 8 or 9 inches would be equally good; and, according to the custom of the country, it is quite unnecessary to put an upper baulk in a roof that may be 16 feet or 18 feet space where the couples and lower ties are 6½ by 2½ or 2 inches. It is different with their brick walls in England, where they require thicker joistings and stronger roofs, in consequence of the thinness of the walls. I also think that 20 oz. zinc should be allowed for gutters and wall. Iron gutters between roofs should also be allowed. We use them very often here."

I have also a letter from Sir John Stuart Forbes, who thinks that greater powers should be given to the Inspectors employed in Scotland, and who says that at present they met with much obstruction from the rules of the Inclosure Commissioners. Then I have a letter from the Rev. Harry Stewart, who says—

> "I am glad that you mean to bring before the House of Commons the little advantage the landowners of Scotland derive from the Land Improvement Company, from the circumstance that the Inclosure Commissioners and their architect must sanction the plans to be executed with their money. They reside in London, and the habits and the wants of farmers and their labourers in Scotland differ so much from those of the same class in England as to require that one of the Commissioners should reside in Edinburgh, and that he and his architect should be thoroughly acquainted with the peculiarities of their habits and wants; and not only so, but may be able personally to converse with these landowners or farmers who may wish to borrow money under their sanction in regard to their proposed plans. Should you be able to suggest such a change in the present mode, you will do more to benefit the peasantry of Scotland than has been done by any effort yet made for their social improvement."

I may call attention to the fact that four years ago an Act, the 23 & 24 *Vict.* c. 95, was passed to facilitate the building of cottages in Scotland, which was brought into this House by Mr. Ewart, the hon. Member for Dumfries, and by Mr. Dunlop, the hon. Member for Greenock, and Mr. Blackburn, the hon. Member for Stirling, and was supported in another place by the Earl of Airlie and the Duke of Buccleuch, who, I suppose, has done more than any other landlord in the way of improving cottages in Scotland. The remedy which I propose is a very simple one. I ask for no grant of money; I only desire that the able Inspectors who are employed by the Inclosure Commissioners in Scotland shall have greater powers conferred upon them, so that it shall not be necessary to send any plan to London to be thwarted by what I must call the crotchets of a single individual. If there is any objection to the adoption of that course I hope that some arrangement will be made by which reference may be made to some architect in Scotland who understands the wants of the people and the materials commonly used. There are in Scotland two companies, a part of whose business it is to advance money for the erection of cottages —namely, the Lands Improvement Company and the Scottish Drainage Company, and their operations are materially impeded by the requirements of the Inclosure Commissioners. I trust that Her Majesty's Government will pay attention to the wants of the poorer classes in Scotland, and will apply such remedy to this grievance as might be in their power.

Mr. KINNAIRD said, he wished to make a few remarks on the valuable statement made by his hon. Friend. It was clear to any one that to require these cottages to be built of brick where stone was abundant, and where it was not the habit and custom of the people to use bricks, was most unreasonable, and it was equally absurd to require lead to be used for gutters where iron could be had much cheaper, and was much more suitable to the country. The remedy was plain and simple—namely, that there should be in Edinburgh some authority to inspect and approve these plans, and it was perfectly clear that an architect who had given up his whole time to the peculiar mode of constructing these cottages which were most suitable for Scotland, was much better adapted to approve of the plans than any one who resided here.

Sir JOHN TROLLOPE said, that all persons must admit that the work done in England under the superintendence of the Inclosure Commissioners was well and efficiently done—he spoke of the inclosure and drainage of land particularly, in respect to which the work was exceedingly satisfactory. But that any rule should be laid down for England and Scotland as to the exact mode in which cottages should be constructed was utterly preposterous. It was well known that the habits and tastes of the people of Scotland were very different, in many respects, from those of the people of England, and that the Scottish people did not like the mode in which cottages were constructed in this country, particularly in reference to the building of bedrooms on the higher floors. If the hon. Member for Hastings (Mr. Waldegrave-Leslie) thought this subject of sufficient importance, he had better move for a Select Committee to inquire into the matter, and to report to the House thereon. Unless such a step as that were taken, he (Sir John Trollope) was afraid that the House would take little trouble about it. He hoped that the right hon. Baronet the Home Secretary would inform the House of the reasons why the office in London had laid down this cut and dry plan for the building of cottages in Scotland, as well as in England, and why no other plan but this Home Office plan would be allowed.

Sir GEORGE GREY said, there was no Home Office plan; the Home Office exercised no control in this matter, nor any power over the Commissioners. The subject, no doubt, was one of importance. It was desirable that no obstacle should be thrown in the way of the building of cottages by the landowners, and that those who desired to borrow money for the purpose should be enabled to do so. The English Commissioners had, however, been constituted by Parliament the judges of the efficiency of the works; they were bound to see that the money was properly laid out, and that there were proper materials employed; but he agreed with his hon. Friend behind him that nothing could be more absurd than for a Commission established in London to lay down a certain specific plan for the construction of cottages all over the United Kingdom. He was not aware that such a course had been adopted by the Commissioners. In Northumberland he knew that the cottages generally were built of stone. He had never before heard that the plan required them to be built of brick in places where stone was abundant, and that the spouting should be of lead instead of iron. Then, as his hon. Friend had said, the cottages that were good for England might not answer for the Scotch. He had seen them in the north arranged upon different plans, and the most of them with sleeping-rooms upon the ground floor. The cottages ought to be constructed according to the wishes and habits of those who were to occupy them. He would, however, communicate with the Commissioners upon the subject, and invite them to reconsider this matter, if it were really the fact that any such rule as that referred to had been adopted. It was, in his opinion, desirable to have a special Report of the Commissioners upon this subject before they resorted to the step of appointing a Committee of Inquiry.

Mr. HENLEY said, he thought it likely that this conversation might lead to the solution of some difficulties that might exist in the matter. He was quite sure that the persons exercising the trust placed in the hands of the English Commission, who had given great satisfaction to the people of this country, could hardly have intended to lay down such a rule as that referred to. It was quite evident what might be considered suitable for Cornwall would not answer for the Orkneys at all. The plan expected to be followed must be of an elastic character, so as to suit all persons and the peculiarity of the locality. The buildings should be, in the first place, needed, and the fact of their creating a charge upon the remainder-man should be a matter of consideration in respect to them. The buildings to be erected should be of a useful and substantial character. In his own county stone buildings had been raised, he believed, under the sanction of the Commissioners. It appeared to him that there must be something special in the case referred to by the hon. Member for Hastings (Mr. Waldegrave-Leslie). In some localities there might be a difficulty in getting bricks though stone might be plentiful. The right hon. Baronet (Sir George Grey) had, however, placed the question on a satisfactory footing. The Government had promised to inquire into the matter, and he had no doubt that the inconvenience complained of would be soon got rid of.

Sir FREDERICK HEYGATE said, he hoped that the right hon. Baronet would extend his inquiries to Ireland, where the Inclosure Commissioners would not permit cottages to be tiled, though tiles were plentiful, but required them to be slated. They also would not permit the woodwork to be constructed of timber grown upon the estate, but compelled the use of Norway deal. The result was that only thirty-three applications for the building of labourers' cottages had been made from that country.

Colonel SYKES said, although, generally speaking, the practical results of calling the attention of the House to a subject were very slight, yet after the assurance of the Home Secretary he hoped better results in this instance. It was absurd that a Commissioner in London should prescribe what was to be done in Scotland. In Aberdeen there were two societies, one of them a co-operative association formed by the labourers themselves, which were engaged in the building of cottages, and it would be of great advantage if aid could be given to them from this country.

Mr. CAIRD said, he wished to urge upon the right hon. Baronet (Sir George Grey) the propriety of impressing upon the Commissioners the importance of giving enlarged powers to the resident Inspectors in Scotland.

LIGHTHOUSE ON THE BASSES ROCKS, CEYLON.—QUESTION.

Mr. BAILLIE COCHRANE said, he rose to ask the Government for an explanation of the extraordinary and extravagant expenditure on the Lighthouse on the Basses Rocks, at Ceylon, and to move an Address for Papers relating thereto. The history of this case, though at the first blush it appeared an unimportant matter, would, he believed, occasion considerable surprise to the House. Hon. Members who looked at the Estimates would observe that in the Civil Service Estimates there was a Vote demanded this year of a sum of £2,000 or £3,000 for the lighthouse upon the advanced rocks of Ceylon. That Vote was passed without any comment, owing, he supposed, to the ignorance of the House upon the point. He was, however, led to inquire into the matter in consequence of a statement which had been submitted to him by certain gentlemen from Ceylon, and he found that the history of this lighthouse was one of a somewhat extraordinary character, and he was sure that a narration of it would not be uninteresting to the House. As far back as 1826 there was a Commission appointed to consider the best means of placing a Lighthouse upon the two large rocks off the Coast of Ceylon. Those rocks stood out about seven or eight miles from the coast. The currents from the mainland were very varying and rapid, navigation was extremely dangerous, and great losses to life and property had from time to time occurred owing to the want of a proper lighthouse upon the Basses Rocks. Amongst those losses was that of Her Majesty's ship *Dædalus*, which had been wrecked upon these rocks. The risk, therefore, both to the Royal Navy and the merchant service was very great. The Committee of 1826 reported strongly in favour of a lighthouse, but nothing whatever was done in the matter until 1854, when another Committee was appointed to inquire into the matter, which fully confirmed the Report of the former Committee. Sir Fleetwood Pellew, who then commanded in those seas, wrote a strong despatch to the Admiralty, pointing out the dangers presented by those rocks to all ships navigating those seas, and urging the immediate construction of a lighthouse. Admiral Beaufort made a similar report. Now, the House would scarcely believe it credible that nothing effectual had been done since then upon the subject. Complaints had been made two years ago by the hon. Member for Pontefract (Mr. Childers), now a Lord of the Admiralty. It was stated that an iron lighthouse could be erected upon the rocks for the small sum of £17,000. In 1856, Parliament voted £17,000 for this lighthouse, and £6,000 for a steamer to carry the materials out to Ceylon. In 1857, £8,000 more was voted for the lighthouse. In 1858, £10,000 was voted in order, as was stated, to complete it. In 1859, £10,000 more was granted, making altogether a total of £51,000. The Vote then stopped for a year. But in 1861 the House voted £8,000 more for it; in 1862, £2,000; in 1863, £3,000; in 1864, £3,000 or £4,000; in 1865, £2,000 or £3,000. Now, would the House believe it possible that, notwithstanding all those Votes, amounting to £80,000 or £90,000 in the whole, there was not up to the present time one stone raised or anything done towards raising this lighthouse? It would appear that no one could explain this expenditure of the public money, or what had become of it. With the exception of a solitary light-ship placed last year, which cost £1,500, and a flag-staff stuck up on one of the rocks at Point de Galle, there was nothing whatever to show for all this money. Considering the danger to our shipping through the absence of a lighthouse, it appeared to him that the public had a right to express its greatest indignation, and to demand an inquiry into the whole question. He was not one of those who brought trifling matters before the House, or who shared want of confidence in the Executive, but he hoped that the Government would be able to explain how the money had been appropriated, and to justify this continuous expenditure going on for the last ten years. According to the Report which he held in his hand the disbursements upon the supposed lighthouse amounted to £55,891, 10*s*. 10*d*. He objected to those papers, inasmuch as they contained a mis-statement, there being, in fact, no such thing as a lighthouse erected at Ceylon; and, indeed, he believed he might say there never would be a lighthouse there, inasmuch as Mr. Gordon, in his report upon the subject, said that if the Government here remitted £10,000 more each year for ten years, then he thought there might be a lighthouse constructed. He had intended to oppose the Vote the other evening, but happened not to be present at the time. He had no wish to make any attack upon the Government in respect to this matter; nevertheless, he thought that the people generally had a right to complain of this lavish expenditure of the public money.

MR. MILNER GIBSON said, it must be admitted that there was a good deal of truth in the statement of the hon. Gentleman with regard to the ill success of the attempt to erect a lighthouse upon the reef of rocks off Ceylon, known as the Basses Rocks. The facts were, as far as he was able to judge of them from the correspondence that had taken place on the subject, that the difficulties of erecting a structure upon those rocks had been from the commencement greatly underrated. The money was voted before the rocks had even been surveyed. The difficulties of carrying out such a work were almost insuperable. The necessary supply of labour could not be obtained, and the supply of materials from the coast of Ceylon to the rocks increased both the difficulty and expense. The money that was expended upon the works had been really thrown away. It was at the bottom of the sea and could not be recovered. What had been recently done would, he believed, effect all that could be desired. A light no doubt would be very desirable to the trade passing the coast of Ceylon, but that will be obtained by a light-ship. It was always the opinion of the nautical authorities that a light-ship moored near these rocks was the right thing, but unfortunately they were overruled by engineers and others, and an unsuccessful attempt had been made to erect a lighthouse. Some of the sums of money mentioned by the hon. Member for Honiton as having been recently voted for this purpose had been merely re-voted, and the sums really expended were no more than was necessary to construct a light-ship and place her at her moorings. Some additional expense would, however, have to be incurred in providing for a reserve ship to take the place of the ship that was now moored there when the cutter might have to be repaired or put into dock. The present light-ship had been moored near these rocks for the last two years. It was a very good light, and the ship was likely to ride there in perfect safety. There was every reason to believe that by the imposition of a small toll on the ships benefited by the light the light-ship would be self-supporting. From the experience of the past he doubted if it would be a useful undertaking to attempt to construct a lighthouse upon these rocks.

MR. BAILLIE COCHRANE said, there had been no attempt made to erect a lighthouse.

MR. MILNER GIBSON said, that a quantity of material was taken out for that purpose, but it was all lost, and a great expense had been incurred under the advice of men who it was thought at the time were competent engineers. He was willing to admit that the attempt had been a great failure, but except as a warning he did not think it would be practically useful to go further into the inquiry. It was the same with governments as with individuals, in attempting a great undertaking they were liable to failure. He had every reason to believe that the present arrangement would prove to be successful, economical, and afford all the facilities required for the navigation of the coast.

MR. BENTINCK said, the answer of the right hon. Gentleman (Mr. Milner Gibson) appeared to leave the case in an unsatisfactory condition, because he had not explained to the House the cause of these repeated and remarkable failures in connection with the erection of a lighthouse on these rocks. He asked the right hon. Gentleman to state whether they arose from natural causes or the want of ability in the engineers, and, if from the latter, whether they had been removed and others engaged, so that we might expect to get some return for the money we had expended. Was the lighthouse at present in the course of construction? [Mr. MILNER GIBSON: No.] Then it had turned out a failure. He regretted that after so much money had been expended there was not some further information given on the subject. After so much money had been thrown, as the right hon. Gentleman had said, into the sea, in so laudable and desirable an attempt as the erection of lighthouses, it was but right that that House should fully know and understand the cause of the failure, in order to guard against such remarkable casualties in future.

SIR THOMAS HESKETH: Was the lighthouse ever commenced at all?

MR. HENLEY said, that as he had had something to do with the matter the House would allow him to say a few words. It was clear from the statement of the right hon. Gentleman that the money which had been spent was clean gone, and that the country need never expect to see a farthing of it again. The right hon. Gentleman was not quite correct in stating that no surveys were made, for if he remembered aright, the survey held by order of the Admiralty was handed over from the Admiralty to the Board of Trade, and by him (Mr. Henley) to the right hon. Gentleman. If, however, the House would recollect the difficulties which attended the construction of the Eddystone, Bell Rock, and other lighthouses in this country where the engineers commanded every appliance that skill and science could supply, it would not appear surprising that there had been a failure to construct a lighthouse upon rocks more exposed and presenting greater difficulties than even the Eddystone or Bell Rocks. He believed that an engineer was sent out from this country, and that in accordance with the plan of the engineers here the stone for a lighthouse ready cut was landed somewhere on the isle of Ceylon. When they had got it there it was found that when the monsoon set in a direction that rendered it possible to reach the rocks it raised so much sea that it was impossible to work. On the other hand, when the sea was calm and they might have worked, the monsoon blew in such a direction that it was impossible to get to the place where the stone was to be put. Altogether the scheme presented such a phalanx of difficulties that nothing was done. In 1858, when he was at the Board of Trade, he called upon the Treasury to say whether the works ought to go on or be abandoned. It was determined that it was useless to proceed with the work, and that the next best thing to a permanent lighthouse was to place a light-ship on the spot. Whether the expense was to be defrayed by the House or by the shipping, it was necessary that there should be a lighthouse on the spot in question. They might say if they pleased that the money had been wasted, but it was necessary that the attempt should have been made.

Mr. MILNER GIBSON said, he had not meant to say that there was no survey, but that there was none previous to the original estimate. In fact the scheme was founded upon incorrect and imperfect data.

Motion *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply — Civil Service Estimates— *considered* in Committee.

(In the Committee.)

Class II. — Salaries and Expenses of Public Departments.

(1.) £16,006, to complete the sum for Public Record Office.

(2.) £217,392, to complete the sum for Poor Law Commissioners.

(3.) £35,075, to complete the sum for Mint, including Coinage.

(4.) £26,826, to complete the sum for Inspectors of Factories, Fisheries, &c.

(5.) £4,210, to complete the sum for Exchequer and other Offices in Scotland.

(6.) £4,413, to complete the sum for Household of Lord Lieutenant, Ireland.

(7.) 11,609, to complete the sum for Chief Secretary, Ireland, Offices.

(8.) £3,007, to complete the sum for Inspection, &c. of Lunatic Asylums, Ireland.

(9.) £16,861, to complete the sum for Office of Public Works, Ireland.

(10.) £27,559, to complete the sum for Audit Office.

(11.) £14,187, to complete the sum for Copyhold, Tithe, and Inclosure Commission.

(12.) £9,290, to complete the sum for Inclosure and Drainage Acts; Imprest Expenses.

(13.) £48,493, to complete the sum for General Register Offices, England, Ireland, and Scotland.

(14.) £11,510, to complete the sum for National Debt Office.

(15.) £2,785, to complete the sum for Public Works Loan Commission and West India Relief Commission.

Mr. BLACKBURN said, he wished to inquire what was the nature of the work done by the West India Relief Commission.

Mr. PEEL said, many years ago relief was given partly in Jamaica and partly in other West India Islands, and the duty of this Commission was to recover the annual instalments in respect of the advances then made. Every year the loan that had been made was in course of re-payment.

Vote *agreed to.*

(16.) £7,635, to complete the sum for Lunacy Commissions.

Sir JOHN TROLLOPE said, he wished to ask upon what principle the Commission of Lunacy was to be carried on. It consisted of several paid and unpaid Commissioners—there being no less than six for England, whereas there were only two paid and two unpaid Commissioners for Scotland, and the two paid Commissioners received inferior salaries. Those who had to transact business with the Lunacy Board complained of the great delays in the transaction of business, and the almost absurd regulations they issued from time to time with regard to pauper lunatic asylums in the country. In the county which he had the honour to represent (Lincolnshire), it was found necessary to enlarge the building, and plans were drawn and contracts made for that purpose, but the Board would not give their assent to them because the magistrates would not undertake to purchase a large quantity of farming land on which to employ the lunatics, and when they came to inquire into the matter it was found that not one in fifty of the lunatics was capable of being so employed, and that those who were would require a great amount of surveillance. The Commissioners, in the exercise of their discretion, consequently prevented the alterations from being carried out for a period of two years, and during that time the surplus lunatics had to be sent to other county lunatic asylums at a distance from their friends.

SIR GEORGE GREY said, certain statutable visits were made to asylums by paid visitors, generally professional men. There had been frequent discussions between the Commissioners and magistrates of counties on the subject of want of ground in connection with the asylums. He thought the former were right in requiring, in accordance with the intention of the Act of Parliament, that there should be ground sufficient to allow of the patients being exercised.

SIR JOHN TROLLOPE said, that in the case he had referred to the ground was not for exercise, but for the employment of the patients, and was more than could be used in agricultural operations by manual labour. There had been already thirty or forty acres of land attached to the asylum.

SIR GEORGE GREY said, he meant by exercise employment at agricultural pursuits as followed at Hanwell, which had been found to contribute greatly to the improvement of the patients.

COLONEL SYKES expressed his opinion that the public, as well as the patients, were much indebted to the Commissioners.

Vote *agreed to.*

(17.) £1,223, Superintendent of Roads, South Wales.

COLONEL FRENCH said, he did not see why such a charge should fall on the Consolidated Fund. Why should it not be defrayed by a rate or by tolls?

MR. PEEL said, that the chief duty of the superintendent who was appointed under an Act of Parliament for improving the roads in South Wales, was to secure the re-payment of the large advances—£250,000—of the Government for their works. The loan would probably be repaid in a few years, and of course the present Vote would not then be required.

MR. SCOURFIELD said, that the present system of expenditure would not last fifteen years longer. Six counties would not have agreed in the appointment of an efficient officer, but the Government had made a satisfactory appointment.

Vote *agreed to.*

(18.) £1,324, to complete the sum for Registrars of Friendly Societies.

MR. HENRY SEYMOUR said, he wished to ask whether the Government proposed to take any step in consequence of the remarks of the Registrar General with reference to certain abuses in the friendly societies, as to the compulsory payment of beer money, and the difficulty of obtaining payments in cases of sickness.

MR. PEEL said, that the remarks to which the hon. Member referred were directed principally to the practice of obliging Members to contribute to the expenses of feasts, and to the difficulties which persons who paid their money through agents experienced in recovering payment of the sums to which they became entitled, and in taking proceedings against those who misapplied the money entrusted to them. No step could be taken this Session, but he thought that an inquiry on the subject might usefully take place in another Session.

Vote *agreed to.*

(19.) £13,915, to complete the sum for Charity Commission.

(20.) £4,665, to complete the sum for Local Government Act Office and Inspection of Burial Grounds.

(21.) £1,350, to complete the sum for Landed Estates Record Offices.

(22.) £446, to complete the sum for Quarantine Expenses.

(23.) £24,000, to complete the sum for Secret Service.

MR. DARBY GRIFFITH said, he thought the time had arrived when some inquiry should be made into this item. In the beginning of the present century, when information was required at all hazards, no doubt such a service might have been necessary; but in these days of peace, when we lived in an atmosphere of intelligence, and when our foreign policy had experienced such alteration, some inquiry ought to be made into the subject, especially as the sum demanded was the identical amount which had been asked for this purpose for years—namely, £32,000. He did not know how Government considered themselves justified in paying that large sum for espionage every year, nor was he aware how otherwise they could employ it except on matters connected with the forthcoming election, which of course the House would not sanction. Of course, he anticipated that the reply to his question would be that the sum was disbursed in satisfying old claims upon the Government for services rendered in bygone times; but in that case the amount should decrease, and should not remain at one fixed sum. He thought Government ought to afford the House some explanation of the subject.

Sir GEORGE GREY said, the solemn declaration required to be made by each Secretary of State that the money was properly expended effectually guarded against the supposed misapplication of the money as suggested by the hon. Gentleman for election purposes, unless he were prepared to suffer the consequences which would arise from such a gross dereliction of duty. It was absolutely necessary that, whether in time of peace or of war, Government should have the money asked for at their command.

Colonel SYKES said, he could understand the necessity for such an expenditure in time of war, when it might be necessary to send spies into the enemy's camp, but he could not understand why so large a sum should be wanted for such a purpose in time of peace. Was the sum of £32,000 always expended, and, if not, what became of the balance? The Vote only stated that the sum "may be" required. Of course the honour of the high authorities was unquestioned, but the money was put into the hands of persons of an inferior station, and how did the Secretary of State ascertain that it was properly expended?

Mr. KINNAIRD said, he thought it curious that this sum was a fixed and not a varying charge.

Mr. PEEL said, the money was paid into the Treasury, and was only paid out as required on the declaration of the Secretary of State, who was, therefore, answerable for every farthing expended. The financial accounts showed the amounts actually expended. The balance not required was never taken out of the Treasury, and was surrendered to the Exchequer at the end of the year. Considerable sums had been thus surrendered.

Mr. DARBY GRIFFITH said, no answer whatever had been given to the questions which had been put to the Government on this subject. They had not been told which of the Secretaries of State had power to deal with the money, nor what justification there could be for such an item of expenditure. It was all very well to say that it was impossible that there could be a misappropriation of the funds, but how did they know into whose hands the money fell? Though the personal honour of the present Home Secretary (Sir George Grey) was above suspicion, this was not a matter which ought to be left to personal honour.

Sir JOHN SHELLEY said, this was just one of those discussions in which independent Members were bound to take part. The time had come when such an item as this ought to be got rid of altogether, unless some explanation of it were afforded by Government. No doubt the Secretaries of State were as careful as they could be in the application of the money, but there should be no such Vote upon the Estimates. The employment of secret service was something which stank in the nostrils of the people.

Vote *agreed to.*

(24.) £265,410, to complete the sum for Printing and Stationery.

Sir COLMAN O'LOGHLEN said, he wished to ask why in the Votes the old custom of printing the days of the month and week in Latin should be preserved. It would be well that this custom should die with the present Parliament, and the days hereafter be printed in plain English.

Mr. HENRY SEYMOUR said, he wished to call attention to the cost of publishing the State Papers. He did not wish to cast any reflection upon Mr. Hertslet, whom he believed to be a meritorious officer and a man of ability, but the collection included many papers which ought not to be printed there, it was twelve or thirteen years in arrear, and the two bulky volumes which were now issued were too expensive to be accessible to the public. Among the papers published were some relating to finance and the unredeemed debt which had been already printed at the expense of the public. In fact, he believed that three-fourths of these volumes had been so printed before, and were accessible in another form. The work was said to afford the means of reference to diplomatists abroad, and persons engaged in literary pursuits; but the number of persons who wanted to refer to papers, the production of which was so long delayed, must be very limited indeed. Then, no regular system was adopted in the compilation of these papers. He did not deny that a good selection of State Papers might be exceedingly useful, but he protested against this compilation on account of its bulk, the delay in the publication, and the high price. The charge to Members of this House was 10*s.*, and it was 30*s.* to other persons. It was not to be expected that people would give this sum for two bulky volumes with papers of such old date. Consequently there was, he was informed, at this moment from twenty to thirty tons of these volumes in the Stationery Office. He suggested that these should be cleared off, and the room devoted to some more useful volumes. For example, he thought it would be very useful, instead of English and Belgian Budgets, to have an authentic copy of the treaties entered into with foreign Powers. There was considerable variation at present in the published text, and it would be desirable that the treaties should be printed in parallel columns in the different languages in which they had been concluded; this would form an important work of reference. His hon. Friend (Mr. Layard) had expressed to him his anxiety that this compilation should be made useful to the public; and, as he was satisfied with the explanations which had been given him, he should not press his Amendment to omit from the Vote the sum taken for printing these papers.

Mr. LAYARD said, he thought that his hon. Friend had very much underrated the value and importance of these papers, although they might not be perfect If his hon. Friend would call at the Foreign Office upon Mr. Hertslet, who was a gentleman of great intelligence and ability, any practicable suggestion which his hon. Friend could make for the improvement of these volumes would, he was sure, be adopted. In justice to Mr. Hertslet, however, he must state that these volumes were of great importance and were admirably edited. A complete index had now been published, and this made their contents even more accessible and more valuable. The hon. Member complained that the contents of papers presented to Parliament were re-published in these volumes, but the fact was that you wanted to be able to refer to an epitome of State Papers without being compelled to go to the library of this House. After the debate which had taken place on this subject on a former occasion letters appeared in *The Times,* from "Historicus" and others, showing the value of these State Papers, and Professor Abdy of Cambridge had written to *The Times* highly extolling Mr. Hertslet's work. The same testimony had been borne by French writers, especially by M. Amyot, the editor of the French State Papers. He could assure the hon. Member that it was his, as well as Mr. Hertslet's desire, to make the work as complete as possible. The whole expense of the work was only £300 a year, and as to the selling price to the public he would make inquiry on the point referred to by the hon. Gentleman.

Lord ROBERT MONTAGU said, that in consequence of the Report of the Committee a contribution of £400 had been made from the Treasury during the last three or four years towards a very useful work called the *Parliamentary Record.* This year that Vote had been withdrawn. As the sum was voted upon the recommendation of a Committee he thought it should not have been withdrawn until a Committee had reported that it was not sufficiently useful to warrant the expenditure. He would like to hear some explanation on the subject.

Mr. PEEL said, that the sum of £400 was granted in one year, three or four years ago, not under the present Vote but out of the Civil Contingencies, for the purpose of purchasing a number of copies of the work mentioned in order that they might be distributed among the different Public Departments. At the end of the year reference was made to the Public Departments to know whether they wished that copies of the work should continue to be supplied, and he did not think that any Public Department expressed a desire that the work should be supplied to it. Under these circumstances the pecuniary contribution was discontinued.

Mr. HENNESSY said, that the work in question had attracted the attention of many persons, and when at Vienna he learnt that Lord Bloomfield was so impressed with its value that he wrote to the Foreign Office for copies, but possibly he failed to get them owing to the stinginess of the Treasury. A Committee of some of the ablest Members of that House gave an unanimous vote in favour of the value of the work, of which any one who referred to it might easily judge. It was proposed to vote £63,000 for Parliamentary printing for both Houses, and he ventured to say that if the compendium of Parliamentary proceedings were in the hands of Members a very large part of the money might be saved to the public.

Mr. KINNAIRD said, that the Under Secretary for Foreign Affairs admitted that blue-books were an annoyance, and yet here was a Vote for them of £63,000 —so much waste paper. Were they to go on in this unreasonable way, refusing wise digests?

Mr. BRISCOE said, that during 1864 waste paper had been sold in this Department to the extent of £6,139, representing an original cost to the country of £36,000, or more. He thought there was not sufficient care exercised in the printing of the Public Departments.

Mr. WHITE said, he must repeat what he had before stated, that those State Papers were not brought down to a late date, their practical utility being thus diminished. A Treaty of 1852 was not in the library in 1864. Moreover, they were occupied with a good deal of unimportant documents while many of importance were excluded. The index would show them fifty or sixty papers taken up by reference to treaties made with chieftains on the Gold Coast and other parts of the African coast, some of which were not signed and which were of infinitesimal importance in a national point of view.

Mr. PERCY WYNDHAM observed, that the *Parliamentary Record* contained a very complete index, which made it a most useful work of reference. The only work of the same kind now accessible to Members was the *Parliamentary Remembrancer*, which seemed to be very much filled with the editor's own views of politics, expressed in a sententious manner.

Mr. HENRY SEYMOUR said, he must repeat that he could not see the use of printing among the State Papers all the financial documents relating to the Budgets of 1851 and 1852, and picking out a few foreign Budgets for publication, while others equally important were omitted. The number of copies sold was very small, and that was a test of the value set on it by the public. He regretted the speech of his hon. Friend, because he had been under the impression that he recognized the necessity of improving this volume, and it was in that belief that he withdrew his Motion upon the subject. He should not now go to a division, but if he sat in another Parliament he should renew this discussion, and should not so readily accept the assurances of the Under Secretary for Foreign Affairs as he did on a previous occasion.

Mr. LAYARD said, he was rather surprised at the tone of his hon. Friend's observations, because what he said upon the occasion referred to he was prepared to repeat—that if his hon. Friend had any suggestions to make for the improvement of these volumes he should be very ready to consider them and if they were good adopt them. He thought that his hon. Friend had rather mistaken the use of this work. It was supplied to all the public Offices and to our Embassies abroad, and formed a most important and useful part of our diplomatic archives. What was uninteresting to one class of persons might be of importance to another, and the treaties were much inquired for at different places abroad. Foreign Budgets also were often found to be of value, and other documents were found to be useful when Parliament was not sitting and Members could not resort to the Library of the House.

Mr. SCULLY said, he had referred on previous occasions to the expense incurred on the score of Parliamentary printing. Parliamentary papers poured into Members' houses to such an extent that they became an absolute nuisance. Why not have a small epitome of what papers were to come out and would be ready for perusal at the Library sent with the Votes? He objected to having tons of papers which were never opened sent to his lodgings. He had been out of town for a few weeks, and on his return, instead of being able to go to "The Derby," he had to wade through a mass of Parliamentary papers. He put away 1lb. and threw away about 2cwt. He could not sell the residue; he could not exchange them for books, for that would be selling them; he could not burn them, for that would be voted a nuisance. Why should these tons of paper be thrust on unwilling Members?

The CHANCELLOR of the EXCHEQUER said, that the plan of an epitome for the purpose of diminishing the expense of printing was one worthy of sifting and examination. But it was an error to suppose that it lay with the Government in any way to limit the issue of these various papers. The House of Commons would view with jealousy any such attempt on the part of the Government. It was for the House to take the matter up, and for the Government to act in subordination to its wishes.

Sir MINTO FARQUHAR said, that he did not know whether the Secretary of the Treasury had any idea of sending round to Members a weekly or fortnightly digest of their proceedings, but certainly a more excellent publication than the *Parliamentary Record* he never saw. It was most useful in every way. It was easy of reference, giving in the most correct and accurate manner all that passed in that House, telling them the stages of Bills, and informing them what had been done month by month. He understood that a Committee considered the best means by which such information could be afforded to Members, and that they recommended the *Parliamentary Record,* and it, therefore, seemed to him unfortunate that the circulation of that work by the Government should be put a stop to, and that no official record of the proceedings of that House should be placed in the hands of Members.

Mr. PEEL said, he did not differ with the hon. Baronet as to the value of the publication which he had mentioned. The Government purchased a certain number of copies of the work and distributed them among the various public departments. After the first year they inquired of the different offices whether they were considered of value and whether they desired to have it again, but in only two instances was any desire expressed for its continuation. Under those circumstances, it was no use for the Government to purchase 400 or 500 copies a year, which would simply have accumulated in store.

Mr. HENNESSY said, that the general feeling of the Committee evidently was that this publication was very useful to Members of that House, and there was a general desire that something should be done to promote its re-issue. The Chancellor of the Exchequer himself said that when the House expressed a wish of that kind it was the duty of the Government to pay attention to it, and in this instance the House had expressed the wish — first through a Committee composed of its ablest Members, and, secondly, in the discussion of that evening. The Government ought to propose a sum in the Estimates sufficient to cover the expense of distributing it in the House.

The CHANCELLOR of the EXCHEQUER said, what he desired was that there should be a clear and definite responsibility in regard to these matters, and that when a Committee made a recommendation the Government should not be responsible for a Vote connected immediately with the accommodation of that House. The House vindicated to itself the regulation of its own expenditure, and he thought that this matter of the *Parliamentary Record* fell within that category. If upon a Motion the House agreed to purchase that or any other paper for its own use it could do so.

Lord ROBERT MONTAGU said, he must remind the right hon. Gentleman that it was only Her Majesty's Ministers who could propose any Vote to the House. Neither any individual Member nor the whole House could say that this was a useful publication which ought to be subsidized and propose a Vote of £400 for the purpose. The right hon. Gentleman's duty was to put the Vote in the Estimates, and leave the House either to accept or reject it. By not putting the Vote in the Estimates he put it out of the power of the House to express any opinion on the subject.

The CHANCELLOR of the EXCHEQUER said, the noble Lord was entirely in the wrong in saying that the House had no power in the matter. But that very day — and indeed every day — the House on the Motion of various hon. Members had ordered various documents and papers to be printed for its use, and how was the expense of printing these papers to be met? It was met by the order of the House. Things worked in a regular system. The estimate for these expenses was transmitted by the recognized officers of the House to the Treasury, and the Treasury submitted it to the House as a matter of course. The noble Lord might any day move that a certain number of copies of this book might be printed for the use of the House. Nobody at this time of day required instruction as to the power of the House to propose Votes, but there was a well understood machinery in operation by which the judgment of the House was taken as to its being furnished with all the documents it required.

Lord ROBERT MONTAGU said, that the House was now discussing not the account for what had been spent, but the Estimate for what might be required in the course of the coming year.

The CHANCELLOR of the EXCHEQUER said, that the Estimate was framed by the orders of the House, and not by the Treasury, and that when so framed it was accepted by the Treasury.

Mr. M'MAHON said, that it would be much more economical and convenient if the copies of the Acts of Parliament furnished to each Petty Sessions were in the octavo instead of the quarto form, and also if the public could buy copies in the octavo form.

Mr. PEEL said, the hon. and learned Gentleman's suggestion should be taken into consideration, but he thought the Acts were printed by the Queen's printers, and not by the Stationery Department.

Vote *agreed to.*

(25.) £114,535, to complete the sum for Postage of Public Departments.

(26.) £23,296, to complete the sum for Law Charges, England.

(27.) £128,033, to complete the sum for Criminal Prosecutions, &c.

(28.) £183,100, to complete the sum for Police, Counties and Boroughs, Great Britain.

(29.) £2,120, to complete the sum for Crown Office, Queen's Bench.

(30.) £9,325, to complete the sum for Admiralty Court Registry.

(31.) £2,296, to complete the sum for Late Insolvent Debtors' Court.

(32.) £64,000, to complete the sum for Probate Court.

Lord ROBERT MONTAGU said, he wished to call attention to the fact that the stamps by which all the fees in this court were paid were very easily detached from vellum, and even from paper; and as they were not obliterated with the name of any officer of the court, but of the person seeking probate, they might easily be detached and used again by any person of the same name, it might be Smith or Jones, who had occasion to go into the court. Thus the Treasury would be defrauded.

Sir JOHN SHELLEY said, he wished to call attention to the cases of the clerks in the court. When the Court was formed it was expected that the business would amount to some eighteen or twenty suits a year; but in the year after the passing of the Act they amounted to over 300, and they had sometimes been more since, but never less. The salary of the chief clerk was fixed originally at £350, of the second at £200, and the third at £120; but in 1860, at the recommendation of Sir C. Cresswell, the salary of the chief clerk was raised to £450, of the second clerk to £300, and of the third to £150. A promise was also given that after further experience of the progress of the Court, their case should again be taken into favourable consideration. Clerks in other departments in which the duties were not of so responsible a character were better remunerated. Clerks in the Probate Court were paid very differently. The principal clerk in the Probate Court had £700 a year, and the second £450. In the Personal Application department, where the work was not so heavy as in the Divorce Court, the chief clerk got £600 a year, and the second £450; and in the registry of the Admiralty the salaries were £700 and £350. He was aware that there was a note appended to the Estimate which stated that £1,360 had been allotted for an unexpected increase of expenses; but he was informed that this sum had been allotted to other departments than that to which he had referred. He hoped, therefore, his right hon. Friend the Secretary to the Treasury would make some inquiry into the subject, because if it was true that double the amount of pay was received by some of the officers of other courts who had no greater amount of work to perform, there must be something wrong in the matter.

Mr. PEEL said, no application had been made on the part of the clerks in question to the Treasury for an increase of salary. Under the Act of Parliament it rested with the Judge of the Court to propose the scale of salaries which he thought ought to be paid to the clerks in it, and with the Treasury to acquiesce in the expediency of acting on the proposal or not as they deemed fit. He felt quite satisfied that the Judge of the Court of Probate and Divorce was anxious that the officers under him should receive an amount of remuneration proportionate to the duties which they had to discharge; for he had on a recent occasion made application to the Treasury with the view of obtaining an increase of the salaries of the clerks of the Court of Probate, and that application had been complied with by the addition of £1,250 to the Estimates. Should any application be made with regard to the increase of the salaries of the clerks in the Court of Divorce on the ground of their insufficiency, he should take care that that application should receive due attention.

Sir JOHN SHELLEY said, he was satisfied with the assurance given by the right hon. Gentleman.

Vote *agreed to.*

(33.) £119,701, to complete the sum for ounty Courts.

Mr. SCULLY said, he wished to draw attention to the fact that none of the items of this Vote for Travelling Expenses, and the building and repairing of Court houses, were in Ireland charged upon the Consolidated Fund, but for the most part remained a burden upon the counties.

Mr. PEEL said, that the corresponding Vote for Ireland was that for process servers, who were officers of the Civil Bill Courts, which had similar jurisdiction to the

County Courts in England. The charges in respect of the Civil Bill Courts were borne by the Consolidated Fund. The increase in the Vote this year was due to the distress in Lancashire, on account of which the number of plaints in the Courts had been diminished.

Mr. SCULLY said, that the process servers received from the Consolidated Fund £8,500, whilst the fees received and paid to the Treasury amounted to upwards of £17,000.

Mr. M'MAHON said, that if parties to suits in the county were allowed to pay otherwise than through the Courts, and if the fees were collected by stamps, the office of Treasurer would become unnecessary, and a saving of £27,000 a year would be effected. In Ireland there were no County Court Treasurers.

Vote *agreed to.*

(34.) £3,030, to complete the sum for Land Registry Office.

(35.) £15,993, to complete the sum for Police Courts (Metropolis).

(36.) £115,166, to complete the sum for Metropolitan Police.

(37.) £18,002, Revising Barristers, England and Wales.

(38.) £686, Divorce Court Compensations.

(39.) £16,772, Bankruptcy Court Compensations.

(40.) £2,577, to complete the sum for Lord Advocate and Solicitor General, Salaries.

(41.) £13,331, to complete the sum for Court of Session.

(42.) £7,816, to complete the sum for Court of Justiciary.

(43.) £4,100, Prosecutions under the Lord Advocate.

(44.) £630, to complete the sum for Exchequer, Scotland, Legal Branch.

(45.) £31,231, to complete the sum for Sheriffs and Procurators Fiscal not paid by Salaries, and Expenses of Prosecutions in Sheriff Courts.

(46.) £18,842, to complete the sum for Procurators Fiscal, Salaries.

(47.) £10,777, to complete the sum for Sheriff Clerks.

(48.) £3,000, Expenses in matters of Tithes.

(49.) £13,254, to complete the sum for Register House, Edinburgh, Salaries and Expenses of Sundry Departments.

(50.) £1,295, Commissary Clerk's Office.

(51.) £1,529, Accountant in Bankruptcy.

(52.) £53,637, to complete the sum for Law Charges and Criminal Prosecutions (Ireland).

Mr. M'MAHON said, that the office of Law Adviser of Dublin Castle should be abolished. At present that functionary was appealed to by magistrates whenever a difficult point was raised before them, and the decision of that learned voice became practically the law. Magistrates ought to be left to consult their own law advisers. With respect to Crown Solicitors, the Devon Commission had recommended that those officers should be appointed one to each county where they should reside. At present, in some cases there was only one Crown Solicitor to two or even three counties. The Government had to some extent carried out the recommendation, and he hoped that as vacancies arose they would still further act upon it.

Vote *agreed to.*

(53.) £3,793, to complete the sum for Court of Chancery (Ireland).

(54.) £9,742, to complete the sum for Courts of Queen's Bench, Common Pleas, and Exchequer (Ireland).

(55.) £4,407, Officers of the Judges on Circuit.

(56.) £1,403, to complete the sum for Manor Courts Compensations.

(57.) £2,163, to complete the sum for Registry of Judgments.

(58.) £16,416, Registry of Deeds.

(59.) £100, High Court of Delegates.

(60.) £4,599, to complete the sum for Court of Bankruptcy and Insolvency.

(61.) £7,663, to complete the sum for Court of Probate.

(62.) £8,768, to complete the sum for Landed Estates Court.

Mr. SCULLY said, he wished to ask how the sum was made up?

Mr. PEEL said, the sum taken on account was deducted from this Vote. It was to be remembered that a sum of £6,144 8*s.* 4*d.* had been received on account of duty for sales made in this Court.

Mr. SCULLY pointed out that the Land Registry Court of England cost nearly as much as the Landed Estates Court of Ireland. A very small amount of business was done in the former, and a great deal in the latter which brought a large revenue to the Government.

Mr. BLACKBURN said, that while the total expenditure for law and justice in Great Britain amounted only to £1,110,000, that of Ireland came up to £936,000, notwithstanding the difference between them in the population and the amount contributed to the revenue.

Mr. PEEL said, in answer to the hon. Member (Mr. Scully), that the Judges of the Landed Estates Court were charged on the Consolidated Fund, and were not charged in this Vote, though on the Vote for the Land Registry Court of England the chief officers were charged.

Colonel FRENCH said, that under the head of law and justice in Ireland the entire constabulary force was charged.

Mr. SCULLY said, that the *ad valorem* duty on sales in the Landed Estates Court of Ireland exceeded that on the Land Registry of England. Of the £936,000 charged for law and justice in Ireland, £800,000 went to support the police, who were really an English military force.

Mr. BLACKBURN said, it was a bad sign to see so much charged for the police force in Ireland. It only required £370,000 a year to keep them in order in Scotland.

Mr. SCULLY said, he wished to ask how much it took to keep Scotland in order when its inhabitants were fighting on the hill sides to establish the Presbyterian religion?

Vote *agreed to.*

(63.) £5,500, to complete the sum for Process Servers, Civil Bill Courts.

(64.) £420, Revising Barristers, Dublin.

(65.) £40,500, to complete the sum for Dublin Metropolitan Police and Police Justices.

(66.) £525,680, to complete the sum for Constabulary of Ireland.

Mr. M'MAHON said, he had to complain that the police of Ireland considered themselves a military force, and they looked upon the ordinary employment of thief-catching as being too mean an occupation. He would, therefore, suggest the advisability of attaching to that force a small body of detective officers similar to those attached to the police in England.

Mr. SCULLY said, he would not offer any objection to the large amount expended on account of the police in Ireland, because he was afraid that the right hon. Baronet the Chief Secretary for that country, who took a great interest in the force, and whom he perceived in his place, might make the objection a personal matter. He objected, however, to the charge being placed under the head of "Law and Justice," as it was really a Vote for a standing army. The hon. Member for Scotland—that was, the only Scotch Member present in the House (Mr. Blackburn)—had criticized the Irish Votes, but sat silent while the Votes for Scotland were passing through the House. The Irish Members had not attacked them; but as some of them were unintelligible they were allowed to pass. He also objected to the power which was lodged in the hands of the Lord Lieutenant, by which that nobleman was enabled to send large numbers of police into districts where cases of suspicion had arisen. The right hon. Baronet the Chief Secretary would remember one instance where the ratepayers of a place were made to suffer in this way, while the people living in the neighbouring townlands were exempted because it was urged that it was impossible any suspicion could be attached to them. He did not know whether the Lord Lieutenant was able to remove any of those policemen, but certainly that power ought also to be lodged in his hands if he retained the former.

Mr. TORRENS said, that it was most discouraging to gentlemen of great integrity who had spent their lives in the Irish police force, and had performed their duty to the best of their power, to see themselves superseded by military men who could not possibly have acquired the necessary experience. As an instance, he would advert to the appointment to the head of that force of Colonel Wood, a distinguished officer, who had been promoted to his present rank from that of Adjutant General at Aldershot. Other distinguished officers had also, he believed, been appointed to most important situations in that force.

Vote *agreed to.*

(67.) £1,714, to complete the sum for Four Courts Marshalsea Prison.

(68.) £13,999, to complete the sum for Inspection and General Superintendence of Prisons.

Sir WILLIAM FRASER said, he wished to ask a question relative to this Vote. No one could read the newspapers without seeing that many persons who were taken up insensible and supposed to be drunk were next morning found dead in the police cells, and a very general feeling prevailed on the part of the public that if there was a more strict supervision of these cases when the persons were taken into custody there would not be such mortality among them. There could be no doubt that, particularly in winter, a great fall in the temperature produced insensibility where the constitution was much enfeebled, and that insensibility was often mistaken for intoxication, death being occasioned by nothing but extreme cold and neglect after the person had been taken into custody. One conspicuous case of this kind occurred last winter. In that case the person appeared to have been very much maltreated either before he entered the cell, while he was there, or after he came out. He wished to know what took place when a person was taken into custody on the ground of assumed drunkenness. Was he seen by a surgeon before he was locked up or after he was placed in the cell?

Sir GEORGE GREY said, this Vote was not at all connected with the metropolitan prisons. It had reference only to the duties of Inspectors of borough prisons throughout the country. With regard to the subject of police cells he had made inquiries into the subject and he should be glad to place before the hon. Baronet such information as he seemed to require with respect to the steps which had been taken in order to effect the object he had in view.

Vote *agreed to.*

(69.) £290,887, to complete the sum for Prisons and Convict Establishments at Home.

(70.) £198,905, to complete the sum for Maintenance of Prisoners in County Gaols, &c., and Removal of Convicts.

(71.) £10,258, to complete the sum for Transportation of Convicts.

(72.) £159,059, Convict Establishments in the Colonies.

(73.) £518,078, to complete the sum for Public Education (Great Britain).

Mr. H. A. BRUCE said, the state of the House when this important Vote came on for discussion might no doubt be explained by reference to the fact that the subject of education had during the present Session been submitted to the consideration of a Committee of the House, and that Committee was now considering the question how far it was possible to relax the conditions on which the public grants were administered. It was also considering the constitution of the department of education, and how far the Denominational system was applicable to the case of small parishes. Under these circumstances there remained little for him to do except to give in as few words as possible an account of the expenditure of last year, and an estimate of the proposed expenditure for the current year. During last year, ending the 31st of December, the total expenditure on education had been £655,041 11*s.* 5*d.* Of that sum, £28,305 had been expended in building, enlarging, and improving schools; in the maintenance of elementary schools, £455,824; of training colleges, £96,166; in administration at the office in London and inspection, £74,744. The building grant of £28,305, was met by voluntary contributions of £92,702. Ninety-two elementary schools had been built, containing 142 separate rooms: one training college, the diocesan college at Peterborough, to accommodate 40 students and 66 teachers' residences; 44 schools had been enlarged or improved and increased accommodation had been thus provided for 20,561 children. The number of schools inspected last year was 7,891, and of schoolrooms under separate teachers 11,818. The whole number of children under inspection this year was 1,133,291, as against 1,092,055 in 1863, showing an increase of 40,550. The number of day scholars individually examined in England and Wales under the system introduced by the Revised Code was in the year ending August, 1864, 523,713, out of 794,387—the average number attending the schools; so that out of every three children in attendance two were presented for examination, or 66 per cent. There were 25,981 night scholars, of whom 15,627, or 60·14 per cent, were presented for examination. It would be interesting to know the number of failures under this system of individual examination. In reading, the failures were 11·87 per cent, in writing 13·98 per cent, and in arithmetic 23·69 per cent, showing a slight improvement on last year. Out of the whole number examined, or 539,340, including both day and night scholars, 222,467 were over ten years of age. The percentage of day scholars over ten years of age to those over six was 39·49, or nearly 40 per cent of the whole number examined. Only 16 per cent were presented above Standard III., and only 11·12 per cent passed. The object the Committee of Council had in view was that every child of ten years of age should pass if not the sixth at least above the third standard—that is to say, should have a grasp of the three elementary subjects of reading, writing, and arithmetic. That was a degree of proficiency which was perfectly attainable, but at present they were far from having reached it, seeing that only a little more than a fourth of the number instead of 40 per cent succeeded. Still, comparing it with last year there was a slight improvement. Another improvement was this. The payments for children at school were calculated under two heads—one was payment for attendance, the other payment on examination. The two together in 1863 produced 8*s.* 1*d.* per child; last year the amount increased to 9*s.*, and a further increase being expected, he should have to ask the Committee for a Vote calculated on a payment of 9*s.* 3*d.* per child for the coming year. A Royal Commission was now engaged in an inquiry on the state of education in Scotland. During the last year the payments in Scotland were continued on the former system—namely, under the form of augmentation grants to the masters and pupil-teachers; but the examinations were conducted on the same system as in England, as that which was best calculated to test the state of elementary instruction in the schools. It would be extremely interesting to know, as they had heard so much of the superior education of the people of Scotland, the relative success of the Scotch and English children as tested by examination. The results were these. In England and Wales, 88·13 per cent of those presented in reading passed; in Scotland 89·19 per cent, showing a small superiority in favour of Scotland. In writing, however, 86·01 per cent of the children in England and Wales passed, to Scotland only 71·43 per cent. In arithmetic, 76·31 per cent passed in England, and only 66·6 per cent in Scotland. That comparison would, he believed, astonish the Scotch Members and the public generally, and would show the necessity for the application of a more stringent system of examination to Scotland. During the last year the number of certificated teachers employed was 10,809; in 1863 they were 10,136, showing an increase of 673; the number of assistant teachers was in 1864, 688, as against 461 in 1863, being an increase of 227. But in pupil-teachers there was a falling off of 2,019, the number in 1863 being 14,180, as against 12,161 in the last year. If that falling off were to continue it would be very deplorable; but it could not be doubted that the number employed up to the time when the Revised Code began to take effect was considerably in excess of what was necessary. Payments being made to the pupil-teachers individually, it was the policy of the schools to have as many of them as possible, whether they were wanted or not. There was no doubt that the effect of the Revised Code in relieving the Government from the payment of the pupil-teachers had had the result of discouraging pupils from entering into that profession. From the effects of that discouragement they were now recovering, and he hoped that in the course of a little time it would be found that the ordinary laws of supply and demand had restored the number to its proper level. Although there had been a falling off in the number of pupil-teachers since 1860 of 3,374, there had been an increase in the teaching power of the schools, as the number of certificated teachers had been augmented by 3,098. With respect to the training colleges, there were in 1864, 2,739 students in training, the number in 1863 being 3,109, and in 1862, 2,972. Two of the training colleges had been suppressed since the introduction of the Revised Code—namely, the Church of England Training College at Highbury, and the Roman Catholic College at St. Leonard's. He believed that those training colleges which were locally connected, such as the diocesan colleges, would survive the difficulties arising from the reduced rate of payment under the Revised Code; they were receiving a great amount of local support, and when the panic which had seized those connected with education had passed away, he hoped it would be proved that that local support, largely supplemented as it was by grants from the State, would suffice to maintain in efficiency those useful institutions. For a few years after 1860 the fresh applications for annual grants for elementary schools had gradually declined; but he was happy to say there were now symptoms of renewed vigour. In 1860 the number of applications was 750; in 1861 they were 625; in 1862, 500; in 1863, 520; in 1864, 553; and up to May 2 of this year there were 240 schools which had applied to be inspected and to receive grants. These were the principal points connected with the operations of the last year. Coming now to the ensuing year, the Estimates for 1865-6 were £693,078, which might be analyzed in this way:—The Estimates for Scotland were £73,650; for England and Wales for maintenance, £430,450; grants for building, enlarging, &c., £30,000; for normal schools, £80,000; for administration, including expenses of office in London, and inspection and examination, £76,478; poundage on Post Office orders, £2,500, making a total of £693,078. He had already stated that these Estimates were based on a calculation of 9*s.* 3*d.* for each day scholar, and the number of day scholars in England and Wales was taken to be 897,513. The payment for night scholars, 40,000 in number, would be 7*s.* 6*d.* a head. The only Minute of much importance drawn up during the last Session was connected with certain endowments, and as he had been interrupted in explaining that Minute when laid upon the table, he would now take the opportunity of stating its effect. Originally in the Revised Code no reduction was made on account of endowments, and between endowments and grants, it was possible that a school might receive as much as nearly 50*s.* for each scholar, a sum which might be far in excess of all its requirements. Undoubtedly there was an omisson in that respect in the Revised Code, and when the subject came again before Parliament it was thought just that schools in possession of endowments should be treated differently from schools depending solely on fees. He would not now enter upon disputed points, but would only give an historical account of what took place. The Government proposed that in all cases the grant should be reduced by the amount of the endowment. That Minute was resisted, not only by hon. Members on the other side, but also by Gentlemen on that side of the House, and accordingly his right hon. Friend the Member for Calne (Mr. Lowe) undertook to introduce a Minute to meet what he understood to be the wishes of the House. That Minute it fell to his (Mr. H. A. Bruce's) lot to introduce, and it was to the effect that no reduction should be made until the grant and endowment together reached 15*s.* per head on the average of attendance. But that allowance was to be made only in the case of rural schools, the average attendance of which was 100. The experience of the past year was that that relaxation of the original Minute had not altogether produced the beneficial effect which had been expected from it. In the first place it was difficult to draw the line between a school having 100 scholars and a school having a few more. A still more important consideration was that they found that the possession of an endowment invariably had a deadening effect on the voluntary efforts of the locality. ["Hear!"] His hon. Friends who favoured the voluntary system cheered that statement, but he would perhaps startle them by the announcement which was about to follow—namely, that, although almost invariably the possession of an endowment chilled voluntary exertion, yet they had not found that the receipt of the Parliamentary grant exercised any such benumbing influence. On the contrary, the receipt of public money was looked upon rather as a distinction and a recommendation on the part of managers; and the more they got from the State the more their neighbours seemed inclined to contribute. What the secret of that apparent discrepancy was he could not explain, but that the fact was so was a matter of daily experience. The Government had therefore introduced their last Minute, which proposed to extend to all schools the concession hitherto made only to rural schools: that was to say, that no reduction from the grant should, in any case, be made unless both the grant and the endowment together reached 15*s.* per head. They were of opinion that was a concession which would be of great service to the schools in general, and which would not lead to much useless expenditure. He had already said it was not his intention to touch upon some points of the greatest interest, inasmuch as they were now the subject of consideration before a Select Committee; but he could not forbear noticing the general effects of the Revised Code on the education of the country. There could, he believed, be no doubt whatever that in many, indeed in most respects, those effects had been most beneficial. He had no doubt that it had made many managers much better acquainted with the deficiencies of their schools and of their schoolmasters; and they had clear proofs of the effects which that knowledge had produced on the conduct of the schools. He could not refrain from giving one instance in illustration which had come under his immediate observation. A clergyman, a friend of his, wrote to complain of the effect of the Revised Code on his school. He had inquired into the case, and found that the school had an average attendance of 309 scholars; that only 108, or about one-third of the whole, had been held fit to be presented for examination; that of those seventy-seven passed in reading, forty-seven passed in writing, and only twenty-seven passed in arithmetic; and that consequently his total grant was only £73 10*s*. The Committee would observe that, under the former system, in all probability no reduction whatever from the grant to that school would have been made. If, indeed, the Report of the Inspector had been that the school was in a bad state and unfit to receive the grant, no grant would have been given; but in a case such as he had described, no deduction would have been made under the former system, in proportion to the deficiency of the teaching. He had suggested that his correspondent should exert himself, should remove his master if he was unfit for his post, or see, at all events, that he did his duty. The result in that same school this year had been this:—From 309 the children had increased to 324; of that number 195, instead of 108, were presented for examination; and of those again 179 passed in reading, 168 in writing, and 163 in arithmetic: while the total amount of the grant received, instead of being only £73 10*s*., was £154. But for the test of individual examination and the financial result which followed it under the Revised Code his correspondent would not have known the real state of his school. He had adduced that as a striking instance of the working of the Code, but it was only one example out of many of the same kind. He did not deny that it was possible under the Revised Code that the attention of school managers and schoolmasters might be too exclusively given to those matters which produced pecuniary results—namely, reading, writing, and arithmetic—to the neglect of other subjects adapted to open the mind and enlarge the understanding of the children. Yet the great object they had to attain in schools especially intended for the working classes must be to enable them to master the first elements of knowledge; and he felt sure that their present system was calculated to produce that result. When they found that a large portion of the scholars who left school at the age of ten were able to pass a satisfactory examination in these elementary subjects it would be time enough to take measures for securing other results. These were the only topics on which he felt it necessary under present circumstances to trouble the Committee.

Mr. SELWYN said, those hon. Members who had the good fortune of hearing the able and eloquent speech of the right hon. Gentleman the Vice President of the Council of Education must have been struck by one strange omission from his statement relating to a subject which he (Mr. Selwyn) believed, above all others, was at this time the most interesting in connection with this important question. He meant the question raised by the proceedings of the Committee of Council with respect to what was called the "conscience clause," and to the innovations introduced, contrary to the original practice—innovations which, he contended, were also contrary to the express terms of the regulations under which they acted in respect to grants to schools in connection with the National Society.

Mr. H. A. BRUCE: I did intend to say that that question was at present under the consideration of the Committee.

Mr. SELWYN said, he was glad to hear that there was some prospect of a solution of that question. He wished the right hon. Gentleman had gone further, and said that he entertained a sanguine hope of a satisfactory conclusion being arrived at. He (Mr. Selwyn) would carefully abstain from saying a word calculated though in the slightest degree to embitter the irritation that had already existed upon this point. The matter, however, being still in an unsatisfactory state, he thought that this Vote ought not to pass without a protest against the proceedings of the Committee of Council. It appeared to him that their proceedings were open to two objections. One was a constitutional one, that the Committee of Council, who were bound to proceed under the authority of Parliament had, without any notice to or sanction of the House, introduced a very important alteration affecting the principles of the Revised Code, which Code had been settled by Parliament. That was an objection of a constitutional character. Now, he asked the right hon. Gentleman, in the interest of amicable feeling, to pause in any further progress in those innovations until the difficulty occasioned by them was solved. Those innovations were contrary to the constitutional principles under which the Revised Code was established. Money was voted by Parliament on the faith that those who dispensed it would act according to the

Code, and he contended that a departure from the Code without the sanction of Parliament was unjustifiable. The right hon. Gentleman himself would, no doubt, agree with him (Mr. Selwyn) that there had been great innovations. It would also be difficult to deny the validity of his recent objection, which was, that the Committee had been acting inconsistently, not only with the very letter of the Code, but also with its main principle. They all agreed that Parliament had not taken upon itself the general burden of the education of the people of this country; but that it relied rather on the religious feeling and enthusiasm of those already engaged in the work of education for support in carrying out this great work. It relied upon the denominational system, and merely supplemented the efforts of those who believed that religion was the most important element in education, and, in fact, was the basis of all education. With those few observations he left this part of the subject in the hands of the right hon. Gentleman, hoping, in the first instance, that the Committee of Council would make no further progress in the course on which they had entered until a satisfactory solution of the difficulties which had arisen was arrived at; and, in the second place, that the right hon. Gentleman would lend his valuable aid to the one grand object they had all in view—namely, an amicable settlement of this question. He (Mr. Selwyn) would now allude to the question of endowment. He thought that the right hon. Gentleman had taken rather a one-sided view of this subject. It might be true that where a school enjoyed an endowment that that fact did to a certain extent tend to limit the amount of voluntary contributions; nevertheless, it appeared to him (Mr. Selwyn) that, generally speaking, the system of endowments was far more advantageous to the cause of education than that of annual contributions. No doubt, endowments lessened the amount of voluntary contributions, because these contributions had really thereby been commuted. For example, the squire of the parish gave a voluntary contribution year by year, or else he or some ancestor of his charged his estate with an annual payment in which case the voluntary contribution became unnecessary. Was there any justice in saying that where a man gave an annual subscription the Committee of Council should give a certain proportionate contribution in aid of it, but if the same man made a permanent charge in favour of the school the Committee of Council should deduct that from the amount of their grant? Not only was there no justice in such a system, but it injured the cause of education itself. Annual subscriptions were hazardous, uncertain, precarious; but the Government were doing all they could to prevent this revenue from being replaced by a fixed and permanent income, and so to prevent the school from becoming independent. The question of endowment must be the subject of a separate discussion. He, however, begged to enter his protest against the doctrine of the Committee of Council in respect to it. There was another subject in respect to one of the rules laid down which he wished to refer to—he meant the rule laid down requiring the schools to have a certain amount of ground attached to them. No doubt it was highly proper and important to promote ventilation, but as regarded the ground to be attached to every school that was a matter which must depend upon the exigencies of the particular case. In some cases, although the population might not be very large, still the land in the neighbourhood of the schools might be of such great value as to render it almost impossible for the managers to obtain such a quantity as the Committee required, and hence designs for erecting schools were abandoned. It appeared to him that the rules so far required revision. He trusted that the right hon. Gentleman would take those matters to which he had referred into his consideration.

Mr. H. A. BRUCE said, he could assure the hon. and learned Gentleman that the Committee of Council of Education did exercise a large discretion with respect to the space of open ground required for schools. The space required by the Revised Code was 1,200 square yards, but schools had been allowed to be built on a fourth of that quantity. The circumstances of each case were always taken into consideration, and ample allowances were made in cases where there were difficulties in the way of obtaining an enlargement of the site. With respect to the conscience clause, he would only say that it was still under the anxious consideration of the Committee of the House then sitting. As to extending what the hon. and learned Gentleman called the intervention of the Committee of Privy

Council, he could assure him that it was intended to leave matters as they were until the whole subject in controversy was considered and arranged. In referring to the question of endowments he begged leave to differ in opinion from the hon. and learned Gentleman when he gave it as his opinion that it mattered not whether the income of the school were derived from endowment or voluntary subscription. If a school enjoyed an endowment it was clear that whether it was well or ill conducted it would still possess that advantage. Whereas a school depending upon local or annual contributions would necessarily be induced to advance towards the highest standard of excellence in order to obtain a renewal of that support upon which its existence mainly depended.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £116,841, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1866, for the General Management of the Department of Science and Art, and of the Establishments connected therewith."

Mr. DILLWYN moved the omission of the item of £10,000 for the purchase of specimens of art, ancient and modern, for the South Kensington Museum. He said that there was a larger increase of the Vote for the Department of Science and Art than of any other Vote in the Civil Service Estimates. The House had over and over decided in favour of reducing the Votes for what was called high art education, and had endeavoured to limit them to the promotion of education of a more elementary form. He was, therefore, glad that there was a reduction in the last Vote; but in the present Vote the increase was £26,259. This item of £10,000, it appeared, was for the purchase of objects of art, ancient and modern. Now, he did not think that the Committee would be justified in granting this large sum to make up some odds and ends—no one knew what—to form a collection of old curiosities. In the British Museum and National Gallery Estimates the Votes were well defined. Every one knew what he was voting for when the British Museum Estimate was under consideration; and so with the National Gallery. They knew that the money voted was for the purchase of treasures of art. But with regard to the Kensington Museum, it did not appear to him to have any object or purpose which it was not large enough now to fulfil. There was a great deal of Barnum about it; and it seemed rather a museum to attract visitors than to promote any really useful object. There was a great deal of Pallissy ware, majolica ware, enamelled terra cotta (some of the latter merely hideous rubbish), enough to stock a dozen museums; a great number of snuff boxes, and amongst other like matters, hurdy-gurdies. Was this Vote to buy more majolica or hurdy-gurdies, or what? He thought the House should insist upon an account in detail of how this £10,000 was to be expended.

Mr. EDMUND POTTER said, that he would like to give a few items to show how recklessly the public money had been spent over this museum. There was, for instance, a majolica plate bought at Stowe for £5, which after passing through several hands was eventually purchased for the Kensington Museum for £200. He found that this article was one of the very few which had been copied, but although very successfully done, and offered at 35*s*., not half-a-dozen copies were sold. Then there was an illuminated missal for which £700 was given, which was interesting enough as a curiosity, but certainly could not be said to be worth any such sum for useful purposes. The establishment at South Kensington was kept up with the object of improving the taste and art knowledge of the community, with special reference to manufactures. But within the last few years a great change had taken place in the opinion of the manufacturers. More support had been given by the manufacturers to the schools of art in 1842 than was extended to them now. At the former period the subscriptions amounted to £2,000 or £3,000 a year, while in 1863 the total sum subscribed was £2,000, of which not more than £1,000 came from the manufacturers. They felt that the expenditure at South Kensington was very extravagant, much of it useless, and that some means ought to be taken to reduce it. He should, however, defer further observations on this point till he came to move his Amendment for the reduction of the item of £36,500 for schools of science and art by £1,000.

The CHAIRMAN said, as this was the first item on the vote it was the one referred to by the hon. Member, he had better move his Amendment now, and that of the hon. Member for Swansea (Mr. Dillwyn) would come in its order afterwards.

MR. DILLWYN having acceded to this arrangement,

MR. EDMUND POTTER said, that he would adopt the suggestion. These schools had been established for the purpose of teaching design, and it had been avowed that they were carried on for the advantage of the artisan class. They were extravagantly conducted, cost £10,000, and would accommodate about 500 pupils. The school at South Kensington had been established for the purpose of training masters to teach art throughout the country. In the present Estimates were the following items:—Maintenance of students sent from local schools, £2,500; salaries of masters, £1,000; lecturers and occasional professional assistance, £500; attendants, £350; living models and materials, &c., £250=£4,600. The total average number of scholars was 460. Out of the number of students instructed at South Kensington, not one-fourth were of the artisan class, the remainder were children of the better classes, including sons and daughters of Members of that House. The artisan class were charged a fee of from £1 to £1 5*s.*; while the highest course of instruction cost only £8 a year, or £2 a quarter. He ventured to say that no such instruction as was received in South Kensington for that £8 could be had elsewhere by the higher classes under £30 or £40 a year, and he complained that the school should be chiefly appropriated to the sons and daughters of persons in that rank. If they were to receive instruction at South Kensington, they should be charged a much higher sum in relief of the annual Vote. The amount of fees was now about £1,800 a year, but if they were to admit artisans at even a lower fee, and raise the fees of the higher classes to £20, they would realize a larger sum than £1,800 towards the payment of the expenses. He had compared the expenses of these schools with those of a similar grade in Glasgow, Birmingham, Sheffield, and Manchester; and all those were very much less costly and equally efficient. The greatest cause of complaint, however, arose in the department which professed to train masters to teach the artisan class in the country. The persons so trained cost the country £400 a piece, but only about half of them ever became teachers. The other half became artists, or went to some other employment for which their training fitted them. Some course ought to be taken to prevent this misappropriation, so to speak, of the public funds. He wished also to draw attention to the retrograde character of this art education movement throughout the country. The total number of students in the schools throughout the kingdom was now about 16,000. The best way of testing the question was by taking the amount of fees that had been paid by the scholars during the last four years. During the last four years the fees paid by the artisans had only increased from £4,900 and odd to £5,126, being an increase of 4 per cent, while the sum paid by amateurs had increased during the same period from £6,396 to £8,187, being an increase of 25 per cent. The inference he drew from that state of things was, that the masters did not afford the same encouragement to artisans as to amateurs, which was the natural result of lowering the salaries of the masters from £9,391 in 1862 to £5,000 in 1865. Notwithstanding that decrease in the amount expended on the teaching of the artisans the total amount of the Vote for South Kensington had largely increased, and he trusted under such circumstances the Committee would require some explanation regarding that increase of expenditure.

MR. H. A. BRUCE said, it was a mistake to suppose that the expenditure at South Kensington had increased from £120,000 to £160,000 during the period mentioned by the hon. Member, as the larger portion of the increased Vote was taken for institutions in Dublin and Edinburgh, the Geological Museum in London, and for half-a-dozen other institutions besides the South Kensington Museum. Although the question now before them was the Amendment of the hon. Member for Carlisle (Mr. Potter), yet as some prejudice might have been raised in the minds of the Committee by the statements of the hon. Member for Swansea (Mr. Dillwyn), he would in the first place endeavour to remove it. He did not deny the statement that there was a considerable increase in the amount of this Vote for the present year, amounting in the whole to £26,000; but that additional sum was required for objects external to the South Kensington Museum. In the first place there was an item of £12,000 which had been transferred from the Board of Works to this Vote for furniture, fittings, &c., including £1,693 for rent of the houses adjoining the Geological Museum, which had been charged to this department in accordance with the desire expressed by the Committee last year, that each department should bear its own cost. The next item was the sum of £6,587, which had been granted to the Royal Dublin Society in consequence of the Report of the Commission appointed by the Treasury to inquire into the Dublin institutions, and also in consequence of the Report of the Committee which sat last year, and which was presided over by the hon. Member for Galway. The former had recommended an expenditure of £9,500, and the latter of upwards of £17,000. The Government considered itself justified in expending the £6,500, and was considering to what extent the recommendations of a larger expenditure made by the Committee of 1864 ought to be acted upon. The next item was the sum required for the maintenance of the Edinburgh Museum, which contained very valuable collections of objects of natural history and of science and art, and for the erection of which Parliament had granted the sum of £40,000. There was also a charge of £529 for the Geological Museum in London, and one of £800 for the Exhibition of Irish Industry, and several other small items brought up the total expenditure altogether external to the South Kensington Museum to £24,000, leaving an increase in the expenditure of only about £2,000 for that establishment. Had the statement of the hon. Member for Carlisle (Mr. Potter) been correct, he should have seconded his Motion for a reduction of the Vote by the sum of £1,000, but that statement was inaccurate. The hon. Member stated that sufficient encouragement was not afforded to students of the artisan class, whereas the very first item of the Estimate for the National Art Training School was a sum of £2,500 for the maintenance of artisan students of merit, who were sent up from the local schools to pursue their studies at South Kensington. The effect of reducing the Vote by the £1,000 as proposed by the hon. Member would be to throw that charge upon those who already paid a sufficient sum for the advantages they received. It was quite right that those who could afford it should pay highly for their instruction, and the Government had adopted the policy of raising the fees from time to time, until from £4 they had been raised to £10. If it were practicable, of course they should be glad to put the screw on still further, and get the largest payment possible from amateurs, as it was to the interest of the Government to do so, but they could not go beyond a certain point without defeating their own object. It must not be forgotten that at the schools at South Kensington those who were being taught there were not ordinary students, but were masters, who were in training to be employed in diffusing a knowledge of art and science throughout the kingdom, and in order to qualify them to give instruction to others they must be taught by a superior class of men, who were paid at a high rate of remuneration. Although there had been a decline of late years in the local subscriptions to local schools of art, there had, however, been an increase in the amount of fees paid by those who had actually profited by the schools. In 1852, when the system was changed, there were 18 schools, having 3,296 pupils; the fees amounted to £2,436; the local subscriptions to £3,447, and the Government aid to £15,000. In 1864 there were 91 schools having 16,555 pupils, besides 94,000 children at the elementary schools, making 110,000 trained at the expense of the State. The local subscriptions were directly £2,352, and in contributions to expenses, £3,565; total, £5,817; and the contributions of the State, instead of being £15,054, was in direct payment only £12,051; and what had been the result? The Committee which inquired into the subject received abundance of evidence as to the improvement which had taken place in the taste of our artisans, and all the witnesses closely connected that improvement with the study of art at these schools. In the daytime it was true that the Kensington Museum was to a certain extent a lounge for the families who lived in the neighbourhood, but in the evening it was very largely frequented by artisans who went there with their wives and families to the number of 293,000 annually. Not only did they take the greatest interest in the general collection, but they were often to be seen sidling away to that branch which illustrated their own trade, and explaining to their wives or children the merits of particular objects, the difference between ancient and modern work, and other points of interest to them. How the collections at Kensington were valued by the working men themselves was shown at the meeting recently held for the transfer of the "Brompton Boilers" to other parts where they might form *nuclei* for new museums. He was present, and it was attended by clergymen, mechanics, and others, who testified to the growing interest which was manifested by the working classes in these exhibitions. The workmen who lived at the East End did not object to the collection at one place of rare and costly works of Art, although they felt the inconvenience of having to travel so far to see them. Of late years the demand for such works, and consequently their price, had increased enormously. Their price depended partly on the intrinsic value of the materials and workmanship, partly on the conventional value arising from the rarity of the objects and the direction of public taste. The hon. Member for Swansea spoke of that collection with great contempt; but he was almost, if not quite, alone in the opinion which he entertained of it. That opinion was not shared by foreigners who were well acquainted with the collections of other countries. He had read the report of forty different sets of French workmen who visited South Kensington in 1862, and in that report they dwelt upon the immense advantage which it was to the working classes to have access to a collection of specimens of the produce of the arts and trades in which they were engaged. Without comparing this collection with the British Museum or the National Gallery, he believed it was that which excited the greatest interest in the minds of the artisan class, whose feelings would be seriously hurt and whose interests materially injured by the adoption of the proposition of the hon. Member for Swansea to strike out of this Vote the item for the increase of the collection. As to the Amendment of the hon. Member for Carlisle, he had shown that that hon. Gentleman had greatly exaggerated the cost of these schools, and he trusted that the Committee would not agree to his proposal.

Mr. BENTINCK said, he thought the right hon. Gentleman had, to use a homely phrase, let the cat out of the bag sooner than it was intended to be liberated, for he had told the House that what he called the Brompton Boilers were to form the nucleus of a new museum. Now, as he (Mr. Bentinck) understood the matter the House of Commons did not intend the Brompton boilers to become the nucleus of a new museum, and were not prepared to sanction any such use of them. It was true the increased expenditure was not at South Kensington, but there were many increased items, some of which were of a remarkable character. The only agreeable expression he had heard during the discussion was something about a retrograde movement. Now he did not at all object to such a retrograde movement. There were a variety of items included in the increased expenditure, the whole of them winding up with a hurdy-gurdy. Now he would ask if it was reasonable to waste the public money in making collections of articles which were not worth a place in any collection in the world? He should like to know who were the parties responsible for making these collections. He was prepared to vote against the granting of any sum for the purchase of such remarkable odds and ends. Assuming, for the sake of argument, that the specimens were cheap at the money, he should like to have some explanation of the item of £500 for the "hire of specimens while on approval." If a person looked at the goods in a shop and had them sent home to examine he did not pay a percentage for so doing. He either purchased them or there was an end of the transaction. If the Brompton Boilers were intended to be the nucleus of a new museum he trusted that such an idea would never be endorsed by the House.

Mr. H. A. BRUCE said, the hon. Gentleman had fallen into a mistake in supposing he (Mr. H. A. Bruce) had said that the Brompton Boilers were intended to be the nucleus of a new museum. What he had said was, that they were to be removed, and, with the consent of the Treasury, they had been offered to different parts of the metropolis to form the nucleus of self-supporting museums. Offers had come from various localities, and much more good would arise from this disposal of them than by selling them at the price of old iron. With respect to the charge for hiring specimens, he had already said the objects in these collections had a peculiar and conventional value; and the policy of the department had been, when articles of great importance were offered to them, to receive these articles on loan, paying a certain percentage on them for their use, and at the end of the period to buy them or not as they thought proper.

Mr. BENTINCK said, that in alluding to the Brompton Boilers he merely used the terms generally as applicable to Kensington. What he objected to was not the mere building known by the name of the Brompton Boilers, but to the idea of making the building at South Kensington the nucleus of a new museum. At the same time he thanked the right hon. Gentleman for the statement he had made of the intentions of the Government with respect to them.

Mr. Alderman LAWRENCE said, he thought it would be very advantageous to the working classes if buildings could be erected at such convenient distances from their localities as would enable them to visit them with their wives and children. The working classes did not go to South Kensington, and the fear was that an intention existed to concentrate the articles at a place where they would be inaccessible to the artisans. If an inquiry were instituted as to the class of persons visiting South Kensington, either in the day time or in the evening, he believed they would be found to be a different class from what was understood by the term artisan. The feeling of the artisans was that objects of art should not be deposited in places which were almost inaccessible to the working classes.

Mr. CAVENDISH BENTINCK said, that when the term Brompton Boilers was used it was meant to refer to the whole of the museum at South Kensington, and he hoped the right hon. Gentleman would give a distinct assurance as to what the Government meant to do with South Kensington, and whether it was to be made the nucleus of a new museum. This year there was a Vote of £24,000 for permanent buildings, which followed hard on a Vote last year of £24,000 for the same purpose. Judging by the plans there was no building worth the money. He objected to this continuous expenditure, particularly when he saw an item for decoration. There was nothing at this museum which would do the architecture of the country any credit. The best architects were not consulted, but the direction was confided to a clique of amateurs, who, having considerable sums of money at their disposal, indulged in all sorts of caprices. Instead of promoting the study of the works of the best English masters, of Inigo Jones, of Sir C. Wren, and other illustrious English architects, on one side you saw a bit of Saracenic, on another a bit of Lombard —"hodge-podge" perfectly ludicrous. They did not teach their pupils architecture on any kind of principle, and the system could not produce any other result but confusion in the minds of the students, certainly no results could follow which would be of advantage to art. As to hiring specimens, he had heard that the department had kept some of these specimens, which turned out to be spurious, so long that they had been obliged to pay the alleged value of them.

Mr. COX said, he was sorry to find that the Government year after year gave indications—they never spoke out upon the subject—that it was their intention to remove the British Museum to South Kensington. The right hon. Gentleman, the Vice President of the Committee of Council, talked of South Kensington being the centre of the population of the metropolis, but the fact was that nineteen-twentieths of the population lived at a distance of more than two or three miles from the Brompton Boilers, which might be very convenient for the upper Ten Thousand, but which was not by any means so accessible to the great mass of the artisans of London, who resided at Clerkenwell, Mile End, and Bethnal Green, as Bloomsbury was. He should therefore vote for the proposed reduction of the Vote, for he believed that the attendance of the working classes at South Kensington to which the right hon. Gentleman alluded was somewhat like those theatrical representations in which twenty or thirty men were made to pass in and out so as to wear the appearance of a considerable body. Indeed, it would seem as if a lot of people were kept at South Kensington to walk in at one door and out at another; but he defied any reasonable man who had visited the place to say that he had seen there the working classes in anything like large numbers. The fact was they could not afford to lose the half-day's labour which it would be necessary to sacrifice for the purpose, and it was a sham and a pretence to contend that the contrary was the case; whereas thousands went to the British Museum whenever a holiday occurred. The constituents of the hon. Member for Southwark (Mr. Layard) for instance, would, he had no doubt, prefer going to the latter place, and he should not be surprised if he had received petitions from them praying that it might be opened in the evenings, for there they would be sure to find something better worth seeing than warming-pans and hurdy-gurdies. In fact they were asked year after year to pass Votes for South Kensington in opposition to the British Museum. He hoped the Government would consent to open the British Museum and the National Gallery in the evening.

MR. WYLD said, he thought the money which was laid out on South Kensington was a most judicious expenditure, and was surprised to hear his hon. Friend, who professed to be the representative of the working classes, object to it. It had been the policy of the Government for some time past to endeavour to improve the education of our artisans, and when it was borne in mind that the products of their industry were open to the competition of the whole world that policy must be admitted to be a wise one. We could not afford to stand still in such a cause; and if we meant to continue to educate the artisan, the best way to do so was to give him access, as at South Kensington, to objects worthy of imitation.

MR. HENRY SEYMOUR said, he regretted that the Government had not divided the Vote into two parts, inasmuch as the question of schools of art was one distinct from that of the South Kensington Museum. He was aware that schools of art had rendered great service, and he did not grudge the expenditure on their account, while he at the same time thought that the provinces had some grounds for objecting to the very large outlay on them in the metropolis in which they did not share. The principle of having, as had been said, the daughter of a duchess in the same class with a less elevated member of the community was one which he was very glad to see adopted, and he did not therefore wish that the Vote should be reduced. As to South Kensington, he was of opinion that the Government would act judiciously if they were to lay their plans with regard to it fully before the House. He quite agreed that the new buildings were very ornamental and did credit to those who designed them, but he thought the Government would do well to state what the total cost would be. With regard to the articles in the museum, he had heard gentlemen regret their distribution, and perhaps they had not been judiciously distributed; but he had no doubt that the influence of high art generally, when exhibited, extended to manufacturers generally, and that the exhibition spoken of had been extended judiciously.

MR. LAYARD said, that he rose as a metropolitan Member to protest against the low level to which the hon. Member for Finsbury (Mr. Cox) sought to reduce his constituents, who, he was sure, would not concur in the remarks of the hon. Member. Among his own constituents there was no selfish dissatisfaction about the Kensington Museum. They admitted the necessity for a central place in the metropolis, where a collection of works of art for practical instruction could be got together, and he believed that they approved Kensington as that place. The hon. Member misunderstood the object of the Kensington Museum when he supposed that it was of the same character as the British Museum.

MR. COX: I objected to the removal of the British Museum to Kensington.

MR. LAYARD said, that was an object which nobody had in view. He had never heard a word about it. There had been an idea of removing the Natural History collection from the British Museum to Kensington, but not the library or the works of art or antiquity. The objects of the two collections were wholly distinct. The British Museum was a collection of ancient art and archæology, while the Kensington Museum was a collection of works of applied art as models for imitation and for instruction. The hon. Member for Bodmin (Mr. Wyld) had rightly stated the influence which that collection had already exercised, and no one could doubt the great improvement which of late had been made in the application of artistic taste to glass, china, and other articles of manufacture, and that improvement which had contributed so much to the extension of our trade in these articles was mainly attributable to the influence of the Kensington Museum. For a Member for a metropolitan constituency to talk contemptuously of Kensington Museum was a thing he was ashamed of. Public Museums and collections of art were a boast of every civilized community, and he was ashamed to hear such things said as the hon. Member for Finsbury had said, for there was not a country in Europe which had not declared its appreciation of our art institutions in general, and particularly of the great Museum at South Kensington. There was no collection of the kind in Europe which could be compared to it. Neither in Paris nor Berlin was there so instructive an exhibition as that at South Kensington. He did not mean to say that there were not at Kensington objects which ought not to be there; still, Kensington had proved to be an immense benefit to the country, and the country ought to be proud of it. When metropolitan Members spoke of hurdy-gurdies and warming-pans in connection with the Kensington Museum, he really was ashamed of them. He believed that his own constituents, at all events, held art in much higher estimation. After all, if there was to be a museum it must be located somewhere. He did not say that Kensington was the most central spot that could be found for the metropolis, but it was childish to talk of cutting up the British Museum and distributing it over the metropolis. The Kensington Museum had set an example which had been followed by other exhibitions, of which the recent local exhibitions at the Lambeth Baths and elsewhere in different parts of the metropolis were familiar and happy illustrations. The Kensington Museum had exercised a happy influence on the country, and he hoped that the House would support the Vote.

Mr. SCULLY said, that an Irish row in that House was not now a frequent occurence, and this was the first time he had known a metropolitan row. It was very refreshing to hear metropolitan Members conplimenting each other as had been done in this discussion; but, looking on from a disinterested distance, he could not but think this was an enormous Vote to ask for, to be spent almost entirely on the neighbourhood of the upper Ten Thousand of Kensington. If the Vote of £150,000 was to educate mechanics in art why was not the Museum placed in the neighbourhood of the mechanics. He knew London tolerably well, and if he were to seek for a place which would be most convenient for mechanics the last place he should think of would be Kensington. Everybody knew that Kensington was chosen for other reasons than for its convenience to mechanics. [Mr. Cox: It was to get away from them.] Very likely that was so, but he objected to this museum that it was conducted upon a most extravagant scale, and the expense was continually increasing. He should be sorry to see specimens removed from the British Museum to that of Kensington. Members of Parliament sometimes received complimentary tickets for private views of new collections, and he had received one yesterday—he did not know whether in anticipation of this discussion —but he thought it would be better not to send these tickets at such times. While small sums were begrudged to Ireland tens of thousands were lavished on Kensington. He thought the item so extravagant that he would vote for reducing the amount by £10,000.

Mr. WHITE said, he would mention, as to South Kensington, that he had received a ticket for the exhibition of miniatures. It was a most admirable collection, and it did his heart good to see some miniatures of Oliver Cromwell, which showed how grossly he had been handled by some modern artists. There was, however, no indication of the names of the originals, and on inquiring for the catalogue he was told it was 5*s.* That was, he contended, a most extravagant charge. He did not believe that the South Kensington Museum contributed to popularise art. He would have free trade in that as in all other matters, and he felt persuaded that it would be as idle to attempt to breed artists as it would be to attempt to breed physicians and engineers. This court of fine art had been very expensive and detrimental. He also denied that the public taste had been improved by that exhibition, as was proved by the intense ugliness of many of the articles now offered for sale in various establishments. The truth was that South Kensington was not a place for the working classes but for the *dilettanti.* He would support a Motion for reducing the Vote, for he did not believe that art required protection any more than trade.

Mr. COX said, that his hon. Friend (Mr. Layard) was ashamed of him, but he was quite as much ashamed that there should be a metropolitan Member who could talk of South Kensington being the centre of the artisan population. [Mr. Layard: No!] He begged his hon. Friend's pardon; he used the very words. He was ashamed of his hon. Friend for advocating the taking of this museum from the artisan population, and placing it among the higher classes.

Mr. LAYARD said, that he had never used the words "centre of the population" at all.

Mr. GREGORY said, he would remind hon. Members that a Committee sat in 1860 to consider this subject, and that it was conclusively proved before them that the specimens of art acquired by the South Kensington Museum had been of the greatest service to the taste and trade of the country. The purchase of these objects of mediæval art had added to the credit as well as the resources of the country. Since its foundation a striking increase had taken place in the value of our plate, our jewellery, our porcelain, and other articles into the formation of which artistic taste largely entered. Perhaps hon. Members would recollect a speech made by the hon. Baronet (Sir Stafford Northcote) at Exeter a year or two ago, which showed that the greatest increase had taken place in those branches of our trade in which the arts of design had made the greatest advances, the increase being in these articles 196 per cent, while the increase in our manufactures generally had only been 125 per cent. In 1840, the year in which the Schools of Design were first established, our exports of articles which come under the head of Art, amounted to £2,700,000; in 1862 they were over £8,000,000. He (Mr. Gregory) did not deny that the mode of purchasing art objects was capable of being improved. There were two officers intrusted with those purchases—Mr. Robinson, who had charge of the purchase of objects of art up to 1750, and Mr. Redgrave who had charge of the more modern art objects; but purchases had been and were being made not only without the sanction, but against the advice of those gentlemen. He was prepared to prove this, and to put his finger upon articles that were purchased by Mr. Cole, and which were forgeries of the most notorious description. He did not wish in these remarks to cast any reflection upon Mr. Cole, who possessed great ability; but it was impossible for that gentleman properly to discharge the multifarious duties which he was taking on himself. It was not possible to be Secretary to the great Department of Science and Art, to be General Superintendent and Arranger of the Museum, and to be also a virtuoso and a purchaser of objects of art. There was also another matter of great importance. Large sums of money were being currently spent on objects of modern art. That practice he regarded as most irregular; it was impossible to keep up with the progress of production by this irregular mode of purchase. The specimen bought to-day may be, and probably is, superseded by some better article to-morrow, and it gave rise to the suspicion of the exercise of improper patronage, though in that view he did not concur. The proper course would be to have a certain sum expended at each decennial exhibition. The finest and most novel works would be thus acquired, and an admirable exemplification of the progress of art at definite periods would be secured, instead of incurring as they oftentimes did under the present system, a wasteful and useless expenditure.

MR. H. A. BRUCE said, he would venture to state that no purchase had been made, as far as he knew, without the recommendation of one of the Referees, or of the Inspector General for Art, Mr. Redgrave. When his hon. Friend the Member for Brighton (Mr. White) referred to the charge of *5s.* for catalogues, his hon. Friend should have remembered that this exhibition was the only one which was open until ten o'clock three nights in the week, and that it had made peculiar efforts for the benefit of the working classes, and should have even given them credit for the desire of displaying the collection of miniatures in the cheapest and most instructive manner. Had he been less impatient in his desire to attack, he might have found in a few days all the articles exhibited with full descriptions placed upon them, so that the working man would be able entirely to dispense with the use of any catalogue. In answer to the hon. Member for Poole (Mr. Seymour) he might state that the Report of last year contained plans showing how much of the proposed works at South Kensington were completed, and how much had still to be finished. The original Estimate was £230,000, and grants had been made for the purpose of completing these works year after year, and he could not, therefore, understand what was meant by imputing to the Government a want of openness and candour in their proceedings. An important recommendation had been thrown out — that they should endeavour as far as possible to utilize their collections so that the provincial towns might share in the benefits to be derived from them. This they had already done by means of travelling museums, containing selections of interesting objects, which had been sent to local exhibitions in different parts of the country. They had largely increased the number of articles for this museum, and by the course they had pursued they had done much, he believed, to stimulate these exhibitions in various parts of the country. When he and his hon. Friend (Mr. Layard) spoke of the necessity of there being a central collection they did not mean to assert that South Kensington was centrally situated with reference to the metropolis, but that such works ought to be collected in one common centre, and not scattered about in various collections.

There was the most complete understanding between the British Museum authorities and South Kensington that the operations of the former should be devoted to objects of ancient art, and those of the latter to objects of science and art bearing the improvement of manufactures. He hoped that his hon. Friend the Member for Carlisle (Mr. Potter) would not press his Motion. His hon. Friend was known to be an earnest friend to the schools of art in this country, and he could not fail to perceive that the statement he had made was founded upon a misapprehension. He should not venture to make a similar appeal to his hon. Friend the Member for Swansea (Mr. Dillwyn), because he knew that his hon. Friend was inflexible.

Mr. EDMUND POTTER said, he would not have pressed his Motion if he did not think that by carrying it the institution itself would benefit. The art teaching at South Kensington was not in the interest of the artisan class, and this was the object the Committee had in view. The museum did not contain specimens of staple articles, but purely ornamental, and the total number who had been educated there in twelve years was 2,000. He also thought it a great error to re-erect the "Brompton Boilers" anywhere, and considered it would be much cheaper to construct buildings afresh.

Whereupon Motion made, and Question put,

"That the Item of £36,500, for Schools of Science and Art, be reduced by the amount of £1,000 (Salaries of Masters.)" — (*Mr. Edmund Potter.*)

The Committee *divided:* — Ayes 16; Noes 80 : Majority 64.

Original Question, "That a Sum not exceeding £116,841 to complete the sum for the Department of Science and Art," &c., again proposed.

Mr. DILLWYN said, he was astonished that he should have been charged with a want of candour in the remarks he had made on the Kensington Museum. It was the House of Commons that had been treated by the Government with a want of candour throughout the whole history of Kensington Museum. He strongly objected to the frittering away of the national collections upon that establishment. The Government had got the Kensington property by stealth, and it had grown by fraud. The Government had tried to remove the National Gallery there, but were defeated, and they were now spending £10,000 for pictures which ought to be placed in the National Gallery. He should, therefore, persevere in moving the omission from the Vote of the item of £10,000 for the purchase of specimens of art, ancient, and modern, for the South Kensington Museum.

Mr. BENTINCK said, he thought that the proposition of the Government to take this large sum of money, over the expenditure of which the House would have no control, would tend to the same result as that which the House determined against two years ago. The House refused then to consent to the establishment of a second British Museum at South Kensington. He hoped that the Committee would support the Amendment which had been moved.

Whereupon Motion made, and Question proposed,

"That the Item of £10,000, for the Purchase of Specimens, Ancient and Modern, be omitted from the proposed Vote."—(*Mr. Dillwyn.*)

Mr. BLACKBURN said, that they were now voting £71,545 for South Kensingsington Museum, while they only voted £100,000 for the British Museum. This, of itself, showed the necessity of a reduction in the Vote. He, therefore, hoped if Kensington was to be kept up as an old curiosity shop, not more than £40,000 would be spent upon it.

Question put. The Committee *divided:* —Ayes 24; Noes 81: Majority 57.

Mr. CAVENDISH BENTINCK said, he repudiated the responsibility which the Government would wish to throw upon the Committee of 1860 of recommending permanent buildings at South Kensington. Captain Fowke, Mr. Cole, and others were examined before that Committee, and plans were shown to it, but they were not adopted.

Mr. H. A. BRUCE said, the Committee recommended that the collections should be brought into one place and under one building. The plans of that building were produced and submitted to the Committee. The hon. Member (Mr. G. C. Bentinck) was, however, right in saying that the Committee had expressed no opinion on the plan of the building.

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee to sit again *To-morrow.*

RECORD OF TITLE (IRELAND) BILL.

[*Lords*]—[BILL 151.]—COMMITTEE.

Order for Committee read.

MR. WHITESIDE said, he hoped that the Attorney Gentral would not embark at this hour of the night on a Bill of such difficulty, but that he would postpone it to a more convenient season. Persons in Ireland, with a Parliamentary title, ought to be allowed to renew the title every five years if they thought right, and this would enable any one in five minutes to know whether there were charges on the estate. He suggested that this Bill should be referred to the Committee, which was sitting, to consider registration of judgments. There were two kinds of registry in Ireland, and the Attorney General wished to add a third. It would be better to have one system of registration which would be conducted in one office. He believed the existing system was infinitely more simple, cheap, and safe than the system it was proposed to substitute for it. The Bill, instead of simplifying, would increase the number of complications. It was because he believed so that he asked the Attorney General, as there was a general register, kindly to allow this subject to be handed over to the Commission now sitting to decide what was the mode of register most suitable for Ireland.

MR. MONSELL said, he hoped the Attorney General would not accede to the proposition, which aimed at the postponement of this Bill by referring it to a Commission for the purpose of throwing it over the present Session. This Bill was a struggle between the attorneys and the landed gentry of Ireland. [MR. WHITESIDE: I deny that.] It is the fact. Be they right or be they wrong there never was a Bill in which there was such a strong feeling on the part of the landed proprietors of Ireland as the present. The real question at issue was whether the obtaining of unquestionable title was to be effected at a cheap or at a dear rate. The measure having been so long asked for by the Gentlemen of Ireland, he really could not see why they should not be allowed to have it, especially as it was, after all, a permissive Bill.

MR. SCULLY said, he trusted that the right hon. Gentleman (Mr. Whiteside) would withdraw his opposition, and allow the Bill, with all its defects, to be passed this Session. So far as it gave a record of title he was entirely with it; but, so far as it was a registration of deeds, he was against it. Still, if they did not accept the Bill, it might be a long time before they had such an offer again made them by the Lords. He hoped the right hon. Gentleman (Mr. Whiteside) would allow the measure to become law, and content himself with remedying its defects when he was himself Attorney General.

THE O'CONOR DON said, he joined with his right hon. Friend the Member for Limerick (Mr. Monsell) in the hope that the Government would press forward this Bill.

THE ATTORNEY GENERAL said, he thought that when the Bill had reached its present stage, and when the right hon. Gentleman the Member for Dublin University (Mr. Whiteside) had not divided against it on the second reading, it was ripe for the fullest consideration. He believed that the general feeling among the people of Ireland was that the Bill would be favourable to their interests. He was told also that several solicitors in Dublin had declared themselves in favour of the Bill.

MR. MURPHY said, he thought that if registration were to be introduced, it might be worth while to consider whether a separate department in the Office of Deeds might not be rendered available. He disapproved of the Bill as perpetuating the defects of the "Landed Estates Court" titles.

MR. HASSARD said, he did not apprehend that this Bill would be of much value, and, as it now stood, some portions of it were decidedly objectionable. It appeared to him that everything professed by this Bill could be done already under the existing law, in connection with the Land Transfer Court and the Registry Office. Every deed placed on the record under this Bill would necessarily involve a re-investigation of title.

SIR HUGH CAIRNS said, that the objections urged against this Bill were really questions of detail which could be better discussed when the Bill was in Committee than in its present stage. The most charming feature of this Bill was the system of close certificates which would confer advantage on the vendor and purchaser, but would not be accessible to everybody, and would save a considerable amount of expenditure which parties were liable to under the present law.

MR. GEORGE said, he objected to the Bill upon various grounds. It would impose upon the Judge of the Probate Court in Dublin a duty he was not inclined to undertake. He was surprised to hear the unworthy terms in which the hon. Member for Limerick (Mr. Monsell) had alluded to that respectable profession, the attorneys of Ireland. The Act, if passed, would be found to be attended with insuperable difficulties in carrying it out. Of course, at this stage of the Bill he ought not to go into details, but he could not forbear mentioning that Clauses 34 and 35 were based upon principles which had long been condemned as unsound. The Bill had been hastily drawn up, and it had had little consideration in either House at present; and under the circumstances he trusted the Government would, at that late hour, not go into Committee.

Mr. MALINS said, this Bill would be delusive. The Bill would deprive the landowner of an advantage which he now possessed, and for which the measure contained no compensation. If a man wanted an advance of money he could go to a broker's and obtain it upon the simple deposit of his title deeds. No one need know anything about it, and whenever he repaid the money he resumed possession of his title deeds and there was no publicity. That was a perfectly safe transaction to the lender, as a man could not deposit his title deeds twice. But under this Bill the landowner would lose this privilege, so far as absence of publicity was concerned. There were other points equally disadvantageous to the landowners, but as they seemed to desire this measure so much he strongly advised his right hon. Friend (Mr. Whiteside) not to oppose going into Committee upon it.

Bill *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Thursday* next.

COURTS OF JUSTICE BUILDING BILL.

[BILL 172.] LORDS' AMENDMENT.

Lords' Amendment *considered.*

The ATTORNEY GENERAL moved that the House do not agree with their Lordships' Amendment, by which Clause 22 was struck out. In the Bill provision was made for the appropriation of a million and a half of money from the accumulations of the Suitors' Fee Fund for the purchase of the site, &c., and a portion of the money—£200,000—was to be advanced by the Treasury, which

was to be repaid by the sale of certain buildings and certain fees. One of those properties was the office of the late Masters in Chancery in Southampton Buildings. When the Masters in Chancery were abolished the Act for that purpose provided that if these buildings were sold the produce should be repaid to the Suitors' Fee Fund—the very fund from which the £1,000,000 was to be taken for the new courts of justice. Their Lordships struck out Clause 22, which provided for the money to be paid into the Treasury, as inconsistent with that Act; but as it was in fact all one transaction the objection appeared useless, and as it rendered nugatory the 7th clause he could not consent to the Amendment.

Motion *agreed to.*

Lords Amendment *disagreed to.*

Committee *appointed,* "to draw up Reasons to be assigned to the Lords for disagreeing to the Amendment to which this House hath disagreed:"—Mr. Attorney General, Mr. Solicitor General, Sir George Grey, Mr. Chancellor of the Exchequer, Mr. Cowper, and Mr. Brand:—To withdraw immediately; Three to be the quorum.

COURTS OF JUSTICE CONCENTRATION (SITE) BILL.

[BILL 173.] LORDS' AMENDMENT.

Lords' Amendment *considered.*

The ATTORNEY GENERAL said, the House of Lords had prepared an Amendment to this Bill, to the effect that no land should be purchased for the erection of the new Courts of Justice until a determination had been come to relative to securing land to make proper approaches to that building. That was a subject for a new Act of Parliament, and it ought not to be permitted to put a stop to the present Bill. After consulting with those best acquainted with the subject he proposed that the Amendment of the Lords should be modified, so that no proceedings should be taken until a certificate in writing shall have been received by the Commissioners of Her Majesty's Treasury, signed by the major part in number of the persons appointed by Her Majesty, under the Courts of Justice Building Act, 1865, to advise and concur with the Commissioners of Her Majesty's Treasury, with reference to the plan and arrangements of the buildings to be erected upon the lands hereby authorized to be taken, stating that they are satisfied that the lands to be acquired under this Act, of which a plan has been laid before Parliament, are sufficient for all the purposes of the intended new courts and buildings connected therewith, and that the probable cost of the said lands and buildings will not exceed the amount of the funds provided under "the Courts of Justice Building Act, 1865," for those purposes.

Mr. SELWYN said, he had served upon a Committee appointed to inquire into this matter, and they found that the Government Estimate for the purchase of the land and erection of the new Courts was fallacious. He thought the Amendment of the House of Lords had introduced into the Bill a wise precaution against the looseness of the Estimate. The Treasury appeared to have abandoned their duty of guarding the public purse in this matter, and he hoped, therefore, either that the Attorney General would not press the point at this late hour, or that the matter would be left as the House of Lords had put it.

Mr. AYRTON said, the course proposed was conciliatory and satisfactory. He thought that the safeguard proposed by the Attorney General was quite sufficient. To adopt the Lords' Amendment would be a stultification of the Legislature.

Mr. MALINS said, he would have been more satisfied if the Attorney General had wholly dissented from the Lords' Amendment; but as he proposed a conciliatory course he would not object to it.

Lords' Amendment *agreed to*, with an Amendment.

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Friday, June 2, 1865.

MINUTES.]—Public Bills — *First Reading*— Dockyard Extensions * (143); Local Government Supplemental (No. 4.) * (144).

Second Reading—General Post Office (Additional Site) (124).

Committee — Dogs Regulation (Ireland) * (129); Inclosure (No. 2) * (135); Lancaster Court of Chancery * (78).

Report — Dogs Regulation (Ireland) * (129); Sewage Utilization * (134); Inclosure (No. 2)* (135); Lancaster Court of Chancery *(78).

Third Reading—Commissioners of Supply Meetings (Scotland) * (118); Parsonages * (137), and *passed.*

Royal Assent—Metropolitan Houseless Poor [28 *Vict.* c. 34]; Public Offices (Site and Approaches) [28 *Vict.* c. 31]; India Office (Site and Approaches) [28 *Vict.* c. 32]; Tories, Robbers, and Rapparees [28 *Vict.* c. 33]; Police Superannuation [28 *Vict.* c. 35]; County Voters Registration [28 *Vict.* c. 36]; County of Sussex [28 *Vict.* c. 37].

CASE OF CATHERINE GAUGHAN.

QUESTION.

The Earl of BANDON asked the noble Earl the Lord President of the Council, Why the Sentence which was passed on or about the 20th April last, on sub-Inspector Burke and other individuals of the Police Force concerned in the outrage on Catherine Gaughan, at Ballisodare, in the county of Sligo, was not carried into effect?

Earl GRANVILLE said, the Irish Government had believed that the sentences pronounced upon sub-Inspector Burke and two constables had been carried out; but it appeared that such was not the case, and the explanation was that the removal of the sub-Inspector from the district had not taken place because of his illness, but, although he had remained in the neighbourhood, he had not done duty. The constables would be removed as opportunities presented themselves.

The Earl of LEITRIM said, the Irish Government refused to carry out the law in cases of this kind, because they feared to do so; and expressed a hope that the Imperial Government would institute an inquiry into the whole system of Government by the Lord Lieutenant.

The Marquess of WESTMEATH trusted that the noble Earl would give some more satisfactory answer to the question. A great failure of justice had taken place, when an officer charged with such an offence was retained in the public service, and would hereafter be entitled to a pension.

GENERAL POST OFFICE (ADDITIONAL SITE) BILL—[No. 124]

SECOND READING.

Lord STANLEY of ALDERLEY, in moving the second reading of this Bill, said, that when he mentioned that the number of letters transmitted and received through the Post Office in this country had increased from 70,000,000 in the year 1839 to 700,000,000 now; and that the number of letters received in and despatched from London alone was nearly one quarter of the whole correspondence of the kingdom, he thought he would have almost adduced enough to prove to their Lordships the necessity for a large addition to the present accommodation of the Central Office. The business of the Department had also been greatly increased in the Money Order branch, as also by the establishment of the Post Office savings banks, by the book post, pattern post, and other valuable adjuncts, all of which rendered it necessary that they should have an enlarged space for their operations. Indeed, so great had been the pressure upon them that they could not have gone on but for the opening of the district offices which now existed in various parts of the metropolis, by means of which a considerable portion of the business had been taken off the hands of the Central Office. However, the business of the Chief Office had at present to be transacted in four or five separate places, the Money Order Office being in one spot, the Savings Bank in another, and so forth. That was found to be an inconvenient arrangement, and it was very desirable that, as far as possible, the various branches of the chief establishment should be consolidated. It was, therefore, proposed to purchase certain property adjoining St. Martin's-le-Grand, and there to construct buildings for the purpose of supplying the requisite accommodation.

Motion *agreed to:* Bill read 2ª, and *committed* for *Tuesday*, the 13th *Instant.*

House adjourned at a quarter past Six o'clock, till Monday, the 12th Instant, at One o'clock.

HOUSE OF COMMONS,

Friday, June 2, 1865.

MINUTES.]—Supply—*considered in Committee*—Civil Service Estimates—Class IV. Education, Science, and Art.

Public Bills—*Resolutions in Committee*—Inland Revenue Acts.*

Ordered—Lunatic Asylum Act (1853) &c. Amendment*; Poor Law Board Continuance, &c.*

First Reading — Pheasants (Ireland)* [193] [*Lords*]; Lunatic Asylum Act (1853) &c. Amendment* [196]; Poor Law Board Continuance* [197]; Sugar Duties and Drawbacks* [198]; Clerical Subscription* [199] [*Lords*].

Second Reading—Defence Act (1860) Amendment* [176].

Committee—Writs Registration (Scotland) [41] [The Lord Advocate] (*Debate adjourned*); Militia Ballots Suspension*; Militia Pay*; Pier and Harbour Orders Confirmation (*re-comm.*)* [130]; District Church Tithes* [186], [*Lords*]; Trespass (Scotland)* [98].

Report— Pilotage Order Confirmation (No. 2)* [194]; Militia Ballots Suspension* Militia*; Pier and Harbour Orders Confirmation (*re-comm.*) [130]; District Church Tithes* [186] [*Lords*]; Trespass (Scotland)* [98].

Third Reading — Local Government Supplemental (No. 4)* [132].

The House met at Twelve of the clock.

WRITS REGISTRATION (SCOTLAND) BILL

[Bill 41.]—[*The Lord Advocate.*]

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. DUNLOP said, he was sorry that the arrangement he formerly suggested had not been acceded to, and that he was obliged to insist on the Motion of which he had given notice, that the Bill be referred to a Select Committee. He certainly regretted that a matter involving so much detail, and so little general interest, should be forced on the House at large. It was impossible to get Members to take an interest in the discussion, because the questions that arose were such as could only be well considered in a Select Committee. He would refer to some of the general features of the two Bills for the purpose of showing that the details were not likely to receive that attention in a Committee of the Whole House which the Amendments proposed required. There had been for two centuries and a half a system of registration of land rights in Scotland. There were a number of registers for districts—every Royal burgh had its own register; there was one in nearly every county, although in some cases two might be joined together to form a district; but substantially there was a local register. Unfortunately, however, there had been combined with that what was called a general register. That was kept at Edinburgh, and its original was to relieve the proprietors of baronies, which included lands in several counties, from the necessity of registering the sasines in every county in which there were lands forming part of their baronies. The effect of this was, that the registers not being limited to the great baronies, but being free for parties to register, although holding lands only in one county, lands might either be registered separately in the different counties, or in the general register where they were all mixed in one register, without any arrangement whatever; so that it became a very difficult matter indeed to make the searches which were required. Now, although about the beginning of this century certain abridgments or indices were began, so as to admit of searching the registers more conveniently, yet nobody could be sure whether the lands were registered in the local or general register; and, consequently, it was essential, before a man lent money on the security of land, or sold it, to make a double search in the local and general registers. The great amendment which both the Bills on the paper sought to accomplish is to have only one register. The Lord Advocate proposed to effect that by abolishing all the local registers, giving compensation to the parties interested out of the Consolidated Fund, and taking their offices all into Edinburgh, in order to make what is still to be called the General Register. He proposed that all the work should be done in Edinburgh, and in that way to simplify and reduce the searches from two records to one, and to facilitate the making of abridgments and indices by recording the several deeds in county order, just as it is now done in the local registers. The plan of his (Mr. Dunlop's) Bill was to abolish the General Register, which had been the great obstruction all through, and to keep up the local or county registers, which, as a collateral advantage, would obviate the necessity of compensation to the keepers. Instead of the Registrars, as at present, drawing the whole fees paid for registering the deeds, he proposed that the holders should be put on salaries as the Edinburgh Registrars now were, and in that way the expenses would be diminished, as largely at least as by the plan of the Lord Advocate, so as to admit an equal reduction in the amount of fees by both Bills. These were the main features of the two Bills, and it was necessary the House should understand them, as they formed the ground on which he pressed for the reference of both to a Select Committee. And the first ground he took was that they had not sufficient materials for coming to anything like a satisfactory decision on the various details involved in either Bill. The only information they had was the report of two gentlemen—one an Edinburgh solicitor, and the other a Glasgow solicitor—both able men, no doubt, but they had not reported to the House any of the evidence on which their Report was founded. They have given nothing but their report, and, so far, their opinion; but they had not enabled the House to judge how far that opinion was founded on the facts, and whether the facts really bear it out. He considered it essential that they should enter into some inquiry into circumstances that had not been reported on. These gentlemen were required to report only on the state of the county registers and burgh registers, which last were not dealt with in this Bill; but they were not required or allowed to look into or examine the state of the Edinburgh registers at all—the difficulties which exist there at present to get the work required done, and how it would be possible for them to undertake the additional labour it was proposed to throw upon them. That was a point on which some inquiry must be made. They were called upon to transfer to Edinburgh all the county registers in Scotland from the counties, although not a word was said against the manner in which the duty is now discharged. Two things, therefore, had to be considered—how the work was done in the counties, to which no objection had been taken; and, secondly, how it was likely to be done in Edinburgh. Now, as to this last point, they were utterly in the dark. Then as to the Report of the Commissioners, it had been stated publicly, and not denied, that their investigation into the county registers was of a very summary kind; and this is clearly beyond doubt, that they assigned as the main cause of the abridgments and indices not being in a forward state, the delay of sending up the record volumes from the county. Now, it had been conclusively proved by the Return which had been obtained by his hon. Friend the Member for Ayr district (Mr. Craufurd) that this was utterly incorrect—there was not a single county in which the registers were not transmitted to a much later date than the indices had reached. In Edinburgh the abridgments and indices had been very ill-managed and badly done. The system was begun in 1821, and if they had done nothing more than year by year made an index and abridgment of the current work of the year, there would now have been a complete index for forty years; but instead of that, they began twenty-eight years backwards, and they had never been able to overtake the arrears. The accumulation had been going on year by year, until at last, since 1830, they had been obliged to give up altogether the most valuable of all—the index of places. The index of persons was still six, eight, or even ten years in arrear. That is a specimen of the superior excellence of Edinburgh superintendence, which was one of the great charms held out to induce the House to transfer the local registers from the counties to Edinburgh. It would be a proper subject for inquiry by a Select Committee, whether the means for accomplishing the end of perfect registration were more efficient in the counties or at Edinburgh. There was another matter on which they had no information—the convenience or inconvenience of sending all the writs to Edinburgh, and having them registered there or in the counties. All that was stated on that point was, that in many counties the writs were sent to a large extent by post; but, in the larger proportion, they were delivered personally. They had no evidence as to the bearing on local transactions in the county which the sending of the sasines to Edinburgh would have, and they had no evidence as to the convenience or inconvenience of such an arrangement to the persons borrowing or lending money, and selling or buying land. To one class the convenience of having all writs registered in Edinburgh would, no doubt, be very considerable. That was the class of great proprietors who had their agents in Edinburgh, whose deeds were all prepared in Edinburgh, and were thereafter kept in tin boxes at their agents' chambers. But, after all, this class comprised but a small body of men, and the inconvenience which would arise to the great mass of persons who would be compelled to employ a local and an Edinburgh agent, and who desired to keep their deeds in their own custody, far outweighed the interests of the other. That was a point on which they might have evidence given in a Select Committee. Then, as to the delay or rapidity of recording the writs at Edinburgh, it was shown by a Return that the number of writs in the registry of the Lothians which were unengrossed on the 1st June in each year was from 600 to 700. In several cases the delay in recording a writ had been close upon eighty days. It was necessary to inquire into that subject—to see why so much delay had occurred in Edinburgh; how it would be obviated when the county registers were transferred to Edinburgh; and how far it might be necessary, for any advantage to be gained by going to Edinburgh, to sacrifice the great advantage of local registers. There was another matter on which the Lord Advocate had spoken very confidently — the saving of expense to be effected by means of this Bill. There could be no doubt that a saving of expense was a very desirable thing. But there was no evidence of such a saving of expense under the Bill of the learned Lord as he appears to contemplate. The learned Lord said that the whole expense under this Bill would be £5,000; but, looking to the present expense of the staff, he (Mr. Dunlop) calculated that it would be brought up to at least £9,000 a year. The present staff at Edinburgh was insufficient for its present duties, and it was impossible to imagine that an additional staff would not be required when these additional duties were thrown upon the office. But that, again, was a matter into which a Select Committee might inquire. Then, as to the matter of compensation:—the offices are held for life; the Lord Advocate proposed to compensate the holders out of the Consolidated Fund; whereas by his (Mr. Dunlop's) Bill, these persons would be placed on salaries, and the amount of compensation would be only the difference between the salaries and the excess which the present fees gave them; and that would not be very considerable. So far as the main objects of the Bill were concerned they could be done just as thoroughly and quite as cheaply in the country as in Edinburgh; and he (Mr. Dunlop) thought it would be better done in the country than in Edinburgh. Then there were many minor points, such as the superior local knowledge of the district solicitors over any set of clerks, and all the questions raised by the Amendments, of which notice had been given—Amendments involving the question whether they should have one register by abolishing the local or the general register; whether they should keep up the general and the particular registers of adjudications and inhibitions, or discard them and substitute the register of sasines. These subjects could not be adequately considered in a Committee of the whole House, and could be only adequately considered in a Select Committee, where the same Members were always present.

Another question of great importance, raised by one of the Amendments, was the responsibility of the keeper of the general register. At present all the local keepers were responsible for whatever blunders they committed; but his learned Friend had not informed them whether he intended to make the general keeper responsible for the errors committed in recording writs in the General Register at Edinburgh. A similar question arose as to the responsibility of the searchers. Searchers were generally selected by the parties for whom the search was made, and if he made a blunder was answerable for the consequences. The Lord Advocate proposed that there should be official searchers appointed by the Treasury. Were these searchers appointed by the Treasury to be liable, like the professional searchers, for the blundering they commit, or was the Treasury to be liable? Then, again, the question of town registers was a large question, which must be fully discussed. At Glasgow, for instance, there was a register which comprised a large part of the city of Glasgow. Now, part of this scheme was that this register should be transmitted from Glasgow to Edinburgh, and made part of the county register. Now, the evidence was strong against these new county registers, and the Commissioners, having discussed the question whether burghs which had registers should retain them and other large towns, such as Greenock and Leith, which had none, should have registers assigned to them, they came to the conclusion, though with great hesitation, that these burghs should remain as they were, and suggested a mode of search which they called a search-sheet, which should be gradually adopted, and prepare the way for the ultimate transfer of the burgh registers to the General Register House in Edinburgh; and it was only on the ground that the burgh registers were ultimately to be transferred to Edinburgh that the Commissioners reported against establishing distinct registers in the large towns, not being burghs, which at present had none. But the officials had condemned utterly the search-sheet, and his hon. and learned Friend had abandoned that part of the scheme entirely, and had abandoned all idea of sending the burgh registers to Edinburgh. Should not, consequently, these towns have registers given them? Then the burghs and their suburbs were to be in distinct districts—one side of a street would have one register and the other side another—all on one side could register their deeds and get them back immediately; all on the other would have to send them to Edinburgh. Nothing besides but burgage tenure was to be registered in the burgh registers; but why were the feudal tenures within the burgh to be precluded from being placed on the burgh register? The house property in the suburbs was in reality a burgal property—why should not they be registered in the burgh register? The burghs which petitioned in favour of the Lord Advocate's Bill while they did not care about the county registers being taken to Edinburgh they required that their own suburbs should be added to their own burghs. It was impossible to discuss these and many other questions in an open Committee of the whole House. The Lord Advocate had said that referring the Bill to a Select Committee would be tantamount to throwing it out. But, even if it were so, he (Mr. Dunlop) should say that that would be better than passing it in a way that would create dissatisfaction. Still, this was no fault of his. The Bill was brought in on the 24th February, and he (Mr. Dunlop) then suggested that both Bills should be read a second time and referred to a Select Committee, and if that had been agreed to the Bill might have been carried through the House this Session. The Lord Advocate, however, objected to this course, but allowed the Bill to stand over, no obstruction being offered by him (Mr. Dunlop), but the Bill being allowed to be read a second time without a division, there was a strong feeling in Scotland on the subject, and he was satisfied that, if the matter were referred to a Select Committee, a satisfactory measure might be agreed upon. In conclusion, he begged to move that the Bill be referred to a Select Committee.

SIR JAMES FERGUSSON seconded the Motion.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Dunlop,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD HENRY SCOTT said, he regretted to find so much difference of opinion amongst the Scotch Members on a subject of such importance; but after the many stages of opposition through which the Bill had gone, it appeared to him that to refer it to a Select Committee, as the hon. and learned Member for Greenock proposed, would be tantamount to defeating the Bill for this Session. That was a result he could not contemplate with satisfaction; and if it was really the opinion of all the Scotch Members that the Bill should fall through altogether this Session, he thought it a pity that result had not been brought about by moving the rejection of the Bill on the second reading. No doubt it was difficult to arrive at any conclusion respecting a Bill of this kind when there had been so little public discussion on it in this House. The discussion which commenced here was adjourned to another room; and probably the opinions expressed there would have produced an effect on the public mind if they had been uttered in this House. The learned Lord Advocate proposed to make the registry general, while the hon. and learned Member for Greenock wishes it to be particular and local. Now, it appears to him (Lord Henry Scott) that if this was to be the issue there could be no groundwork for those measures which had been framed by the Lord Advocates who formerly had a seat in this House, for Mr. John Inglis and Mr. Baillie both brought forward Bills of exactly the same nature as this. It could not be said that this subject was one that had not had the greatest consideration. It had been under consideration for a series of years. Clauses had been inserted in all the Commissions given to the different local registrars, by which they were declared not to be entitled to demand compensation in case local registers should be abolished. It had been the subject of a Royal Commission; and if the Report of two able Commissioners was not enough to give us a groundwork, he did not know that a Select Committee would be able to give them more. It had been said that the Commissioners did not take their evidence in a proper manner; but from a careful perusal of that Report he (Lord Henry Scott) did not agree with that statement. It appeared to have been carefully drawn up, and went into every possible detail that could be brought before a Select Committee. He must say, as regarded the general question, that if it was desirable to have any registration at all, the opinions of all the county meetings in Scotland ought to have some weight in favour of the Lord Advocate's plan. With regard to complaints as to the present arrears on the registers, that might be got rid of by adopting the English system, and abolishing the minute-books. It has also been said that great expenses would be incurred by the Lord Advocate's plan; but when it was remembered that at the present moment the registers paid a surplus of £6,000 a year to the Consolidated Fund, and more than £12,000 to the local registrars, it appeared to him that all the expenses would be met, and that there would be a surplus. He knew also that there were complaints as to the borough registers; but it was not proposed to meddle with them in this Bill, or in the Bill of the hon. and learned Member for Greenock. The whole question of borough registers was treated of in the Report, and the Commissioners gave ample reasons for not wishing to interfere with them. The real question before the House was whether they should delay the Bill by referring it to a Select Committee, and thus practically throw it out altogether; but he could not think, after the lengthened investigations of the Commissioners, that a Select Committee would be of any value, or that would, on the whole, be a wise and proper course.

Colonel SYKES said, he had presented a petition from Aberdeen against the Lord Advocate's Bill, and he must say he entirely concurred in the prayer of the petition. He held in his hand the last Report of the Committee upon Public Petitions, from which he found that there had been ninety-six petitions in all presented upon this subject; and of these twenty-three were in favour of the Lord Advocate's Bill, seventy against it, and three prayed for alteration in both Bills. Moreover, it must be borne in mind that these petitions were not signed at street corners like many petitions that had recently been presented to the House, but by gentlemen of education and position. Was it then right or reasonable that they should take upon themselves to decide here in this House, with scarcely a quorum present upon these Bills when there was evidently a conflict of opinion out of doors upon the question? He emphatically said it was not; and although it was possible and probable that a reference to a Select Committee might delay or cause the loss of these Bills for the present Session, he also said so much the better; for this advantage would be gained, that they would have the maturely-formed judgment of men upon whom they could rely.

The parties who would chiefly benefit by the Lord Advocate's Bill were the Lord Clerk Register by emolument and patronage, the Edinburgh conveyancers, who would practically have a monopoly of the business, and departments of the Register House, whose returns would be increased from fees. Those who would benefit by the Bill of the hon. and learned Member for Greenock were the local solicitors, the proprietors of land who would pay reduced fees, the smaller proprietors who would avoid the delay and risk of sending their deeds up to Edinburgh, and have increased facilities for searching; and the country at large would be benefited by the prevention of a great scheme of centralization and patronage. That could not be regarded as a slight advantage, when they remembered that the principle of our representation was hostile to centralization. How could they look for any advantage whatever in a complete transfer of all registration to Edinburgh when they remembered that the three local registers already in the office there were ten years in arrear? What would be the state of that office when nineteen other registers were handed over to it? Surely, under these circumstances, the simple and obvious course was to ascertain the real state of things, and that could be best done by submitting both these Bills to a Select Committee. If they were thereby lost for this Session, the public would be no losers, for a further opportunity would be given to the country at large to consider and to make up its mind upon this important subject. He should certainly support the Motion of the hon. and learned Member for Greenock.

Mr. FINLAY said, he spoke without claiming to possess special legal knowledge, but he wished to say a few words as a proprietor—for he took the question to be, in fact, a proprietors' question. It was the interest of the proprietors that had to be guarded, and not the interest of the lawyers. The proprietors complained at present of the great expense of registering deeds. That expense was attributable to two causes—first, the great delays and arrears in writing up the index; and next, the necessity for a double search. They were all agreed upon the desirability of having only one search; and both the Bills before the House profess to have that object in view. But it appeared to him that under the Bill of the hon. and learned Member for Greenock, two searches at least would be required—a search into the local registers and search into the Edinburgh register, and, if the property lay in several counties, three or four searches would be required. Even for the counties themselves local registers were inconvenient. He might instance his own county—Argyleshire—where the registers were kept at Inverary, which was less accessible to many parts of the county than Edinburgh. The tendency of all improvement in communication was towards the capital, and therefore the facilities for searching in the capital were always improving. So, as a matter of convenience, Edinburgh was the best place for the registers, especially as all large proprietors have agents in that city, and the interests of the smaller proprietors would be secured by the permanent establishment of the sixty-six burgh registers. As to security, the hon. Member for Greenock said that at present the keepers of the registers were responsible for the results of any negligence. But it must be remembered that these persons were, in general, men of very small means; whereas the responsible officers at Edinburgh would probably be persons of a superior class, from whom it would be practicable to obtain ample and satisfactory security. As to the question of expense the real expense lay in the search not in the register, and as by the Lord Advocate's Bill the search would be simplified the expense must be proportionately lessened. As to the proposition to refer the Bill to a Select Committee, they were all agreed upon the principle, and all that would have to be referred to the Committee would be the details, which could only be understood thoroughly by lawyers; and the question is whether they should be guided by the declared opinions of the first lawyers of Scotland, which is already before us, or send the question to be decided by a Committee which could not consist of persons so well qualified to pronounce upon details of this kind? He did not think that such reference to a Committee would be of any advantage to the public. He hoped the hon. and learned Member for Greenock would not press his Motion.

Sir JAMES FERGUSSON said, it would perhaps be in the recollection of the House, that no discussion was taken upon the second reading of this Bill, at the express suggestion of the Lord Advocate. It was against his wish that the Bill passed that important stage *sub silentio;* and it was clear that the opponents of the Bill are under a disadvantage now from having allowed that course to be taken. The reason suggested for this course was that opportunity should be given for the discussion of the question at a meeting of Scotch Members, when some understanding might be arrived at as to future proceedings. No doubt his hon. and learned Friend the Member for Greenock had reason to expect that some deference would be paid to his views. As there was no record of the proceedings of such gathering as they had in the tea-room, he could give no detailed account of what passed in the little Scotch Parliament on that occasion; but he would simply remind those present that the Lord Advocate, finding that a majority of the Scotch Parliament was not likely to agree with him, closed the discussion by saying that he should persevere with his Bill. So, after they had been induced to consent to the second reading *sub silentio*, they were told that, in an exhausted House approaching dissolution, the measure would be pushed on by any means whatever. The majority of the representatives from Scotland sat behind the Government; but although that portion of the Empire was less strongly represented on this side, he could not in his experience remember any occasion when they had to complain of a measure being unfairly or unduly pressed by a majority upon a reluctant minority. Our Scotch measures were generally discussed in a spirit of conciliation and fairness, and to no one was that fact more attributable than to his hon. and learned Friend opposite. But the manner in which it was attempted to force on this measure was at variance with the usual practice. Never was there a measure more fitted for consideration by a Select Committee or even a Commission, and never was there a question less fitted for general discussion than that which was now sought to be pressed on in this unusual and unfair manner by means of calling in aid the Government supporters, who, knowing nothing of, and caring nothing for, the subject, were able to overbear the wishes of the majority of the representatives of Scotland. One reason why this Bill was distasteful to me was because it was based upon a centralizing principle. They had already a very centralized Government in Scotland. That kingdom was governed from headquarters by an official who occupied a position perfectly anomalous, whose government would not have been tolerated for a moment had it not been administered uniformly in a judicious and prudent spirit for the benefit of the country. This centralizing principle was being applied step by step to other departments of administration. In former times centralization might have been absolutely necessary, but now it could not be said that where they had had local government for centuries it was necessary all at once to introduce a system of centralization. Only in one department had local management been retained, and that was in the matter of registration of titles to land. Every county and every burgh had its register, and every one who had investigated the subject knew that a more perfect system did not exist in any country. No one denied that there were faults in the existing system—that, for instance, the fees exigible from persons having recourse to the register offices might be advantageously reduced; nor did any one deny that some confusion had arisen from the ancient system of a double register, which was good in its time but had been abused. It could not, however, be denied that the local register was the chief register, and that the general register was essentially the subordinate one. The noble Lord the Member for Selkirkshire (Lord Henry Scott) thought that he had made a great point when he said that the General Register of Edinburgh yielded to the Consolidated Fund a surplus of £6,000 a year, while the local registers were of no value to anybody. But they were of value to those who kept them. The noble Lord was in error in saying that Bills had been introduced by Conservative Lord Advocates, or that measures similar to this had been contemplated by them; because the measure which was thought of but not introduced by the present Lord Justice Clerk, when Lord Advocate, contemplated the provision of registers for the various districts of Scotland. Undoubtedly he contemplated the removal of the local registers but he believed he contemplated their collection into certain districts. As to the weight of authority, I cannot pay to the opinion of the Lord Justice Clerk, and of the Lord Advocate, the deference which I should be disposed to pay to it upon all other questions. The weight of the authority of all the country lawyers is against the change proposed by this Bill. It is true that this was an interested opinion to this extent, that those gentlemen would lose a great deal of business if all these registers were transfered to Edinburgh; because there was no doubt that although the post might to a considerable extent be used for the transmission of deeds to the registry, or the making of inquiries, careful practitioners would never be content without going themselves, or sending their agents to the registry to report the deed, or make the inquiries that might be necessary. It was, therefore, obvious that if this change took place, there would be some transfer of business from the country to the Edinburgh solicitors, and in so far the opinions of the former might be said to be interested. The noble Lord said that the proprietors were not opposed to this Bill; but who was the best judge of the interests of the proprietors, and of how the business in which he was concerned can be best transacted? Was it not the professional man by whom that business had always been managed; and he ventured to think that in this matter the concurrent opinions of the practitioners all over Scotland is deserving of some respect. And if there be an imputation of interested motives on both sides, surely the *onus probandi* rests upon those who want to take the business away, and not upon those who have it now. This Bill, while it proposed to transfer the conveyancing business of all the county districts of Scotland to Edinburgh, did not propose to treat the burghs in the same way. The reason why the local registers of the burghs are to be left was, they were told that local knowledge was there of so much importance. Why was it important to burghs and places possessing municipal government, and of no importance throughout the counties either in populous places or in purely rural districts? It was a distinction that would not hold for an instant, to say that certain burghs required a great deal of local knowledge, and that therefore their local registers should be preserved, but that all others were needless and should be swept away. But if centralization be in fact of so much importance as was represented, he should not be wrong in saying that this Bill would fail to effect that object, because there would still remain sixty or sixty-eight burgh registers. If it were necessary to concentrate all the business in Edinburgh, why did not the concurrent testimony, of which they have heard so much, propose to concentrate every one of the registers throughout the country? The reason was the burghs were too strong for the Government. Let them take warning by what was now going on. If concentration in Edinburgh was of such great importance, and if the improvement of communications had been so great that it was not necessary to prolong the continuance of these registers in the various localities, why should not concentration be carried a little further—why keep up branch establishments in Edinburgh itself? If concentration was to go on, rely upon it that the establishments which now afford such great public conveniences in Edinburgh will not long be left there. They would soon have their postal arrangements, and all other matters, conducted in London, and Edinburgh would sink into a mere provincial town. There were other things now kept in the counties, not to mention the registers of births, deaths, and marriages, which might be sent to Edinburgh. Why should not all the commissary business, probate, and so on, be done in Edinburgh? There was no end to the concentration that might be carried out. He did not wish to say much upon so delicate a subject; but there is a question of patronage. The Register House in Edinburgh had been used a little as an office of political reward. He did not wish to say anything invidious, but it was impossible to deny that, however excellent and worthy a gentleman might be, if the charge of the Register House was to be made a matter of political reward, and if considerable patronage was to be attached to it, people in the country would look upon such an arrangement with considerable jealousy. The only weak point in the present system brought out by the Report was the confusion which arose between the two registers. The noble Lord (Lord Henry Scott) seems to think that the inconvenience was very formidable for the registers to be in one county and the writs in two counties; but when a proprietor had a large estate which extended into two counties, the inconvenience of registering in these two counties was in reality exceedingly small. But the great argument against the Bill, and one which he thought of more weight than all the rest, was that the evidence showed that the public were satisfied with and use freely the present system. If 15,000 writs are annually registered, and if out of these only 3,000 are registered in Edinburgh, it being equally open to proprietors to register there as in the counties, that was a conclusive proof that the public had decided in favour of local registers as more convenient and best. There was only one point more to which he wished to refer. The hon. Member for Argyleshire said that this was not a matter for a Select Committee; but it was impossible to have a matter of a more abstruse and technical character, and one which in its details was more fit to be considered by a Committee upstairs. The subject had never yet been examined properly—even the Royal Commission had not examined the register, and reported their condition, and it was clear from the *animus* that pervaded their Report, that if they had discovered anything unfavourable they would have exposed—but there was nothing of the kind in their Report, and therefore it was to be presumed that there was nothing to expose. He submitted that this was not a case for legislation at all—that no case had been made out—and that, at least, there ought to be more inquiry before disturbing the present system—that no public hardship had been proved, or any grievance substantiated; and he trusted the House will not permit this measure to be forced through by the Government, when it was not only not required, but viewed with jealousy and dislike by the people of Scotland.

Mr. CRUM-EWING said, that he had had the honour to present a petition from Aberdeen of exactly a contrary nature from that presented by his hon. and gallant Friend (Colonel Sykes). He (Mr. Crum-Ewing) supported the Bill because it would get rid, at a marvellously small cost, of a large and expensive staff; secondly, it would be the means of preserving greater uniformity; thirdly, it would give greater facilities for examining the writs by having them all at one place, and at a less trouble and expense than having, as now, to go through the various counties; and, fourthly they would be placed in a fire-proof building, and thus be more secure from accidents. He thought the measure one of great improvement.

The LORD ADVOCATE: I hoped, after the full discussion that had been had, they should be allowed to go to a division that night. He would only address the House upon the question whether this Bill ought to be referred to a Select Committee. He contended that it was altogether an unsuitable question for such a reference, because it essentially related to the law of Scotland, and did not depend upon evidence to be taken. Under ordinary circumstances, the Members for Scotland would have been inclined to have left it to be decided by those legal authorities best qualified to form an opinion. These authorities were all on one side. There was no difference of opinion amongst the best and first jurists in Scotland that this was a most desirable measure. The Faculty of Advocates were unanimous, as indeed were most of the persons interested in business of this nature. His predecessor in office unquestionably intended to legislate in this sense. All professional and scientific opinion was in favour of the Bill, but there was another interest to be considered—that of the public. He did not want to exaggerate too much the effects of it, but this House ought not to let private interest—the interest of those local practitioners whose business might be affected—to stand in the way of a great general reform. The hon. Member for Argyleshire (Sir James Fergusson) said we had called a meeting of Scotch Members, and were now pressing this Bill against the wish of that meeting; but every one who heard the able speech, on that occasion, by his learned Friend the Solicitor General, must have been convinced of the utility and advantage of the measure. Now, he (the Lord Advocate) had made it his business to ascertain whether the Members for Scotland were in favour of this measure or against it; and when they divided it would be found that, not only on that side of the House, but on the other, they were in favour of it in the proportion of at least two to one, so that it was impossible to say they were pressing this Bill against the sense of the Scotch Members. And although the Bill more immediately affects the counties, the main opposition comes from Members for the burghs. The burgh registers were not touched by this Bill. Take any locality, and it would be found that the advantages would greatly outweigh any injury that may be occasioned. There was evidence enough on that point from men of great ability and position, and a Select Committee was wholly unnecessary except for the purpose of shelving the Bill for this Session, which is the object of its opposers in talking of a Select Committee. Very exaggerated ideas seemed to be entertained as to the transfer of business from the county to Edinburgh. The hon. Member admitted that many gentlemen of large property had agents already at Edinburgh; and agents in many cases must be employed now by others. Suppose a person at Aberdeen had money to lend at Glasgow, he would now, as his first step, send to Edinburgh to search the records, and he would employ an agent. The mortgage deed would be prepared in Glasgow; and then would come the question, where it should be recorded. According to the present system, it would be at Aberdeen; according to the Bill, at Edinburgh. What advantage would it be to the lender to record it at Aberdeen? None whatever. The fears of the hon. Members as to centralization were equally chimerical. The only difference in what he proposed and that which now took place was this:—Now, entries were made in the books at various places, and at the end of the year these books were sent to Edinburgh; and he proposed instead that the writing should be done at Edinburgh at once, and thus be of immediate use for reference and getting rid of the double search, which all parties admitted to be bad. The burghs were anxious not to be touched; they were anxious to have a register of their own, and the persons who opposed this measure are the persons who were connected with the burghs. It was alleged that the registration in burghs formed a separate and distinct system, involving no doubt many important interests, and standing upon a wholly separate footing, regulated by different rules, under different superintendence, and to a certain extent dealing with matters of a different nature. The burgh registries were not under the Lord Clerk Register, and never had been; they were not established by the same statute as established the county registries, and they dealt with tenures of a very different description. They might, therefore, very properly be left to district registries. Whether they should be brought to Edinburgh or left in the localities was another matter. These were the views on which he thought that House ought not to accede to the Motion of my hon. and learned Friend to send the Bill to a Select Committee. Into the merits of the Bill introduced by his hon. and learned Friend he now proposed to enter. It would be easy to show that, as under the existing law, so under the proposition of his hon. and learned Friend the expense would be very great. His hon. and learned Friend said that the expenses of deeds might be reduced by the Lord Advocate, but he must be aware that the Court would long ago have been moved in that matter but for the opposition which the proposition received from those who were chiefly concerned. Then, again, his hon. Friend raised some phantom of official patronage, and he intimated that persons would be appointed, not only to the office of Lord Clerk Register, but to other offices, because they might happen to be of the political creed of those who happened to be in power. He (the Lord Advocate) entirely repudiated such an insinuation as that. His hon. Friend says this will increase the patronage of the Crown. Does it not, on the contrary, abolish nineteen most lucrative offices at present in the patronage of the Crown? And what does it substitute? Why, a few clerkships of £300 or £400 a year, which may be in the gift of the Lord Clerk Register and the Treasury. And what did the hon. and learned Member for Greenock propose? Why, not only to keep up the nineteen offices at present existing, involving an expenditure which amounts altogether to a very considerable sum, but to add on to the country registries now existing an establishment which increases those nineteen offices to thirty. There was no ground whatever for delay, and he trusted the House would at once go into Committee.

MR. AYTOUN said, he had no intention to enter into any discussion of the merits of this question, for in his opinion only a lawyer could properly discuss it; but he desired to make one or two remarks on the doctrine which the learned Lord Advocate had laid down in the speech, because he thought it one of the most extraordinary doctrines which a person in his position could lay down. The learned Lord appealed to the House not to send his Bill before a Select Committee, not on the ground that it was so late in the Session that to do so would have the effect of putting off the Bill altogether, but because he says it was not a question that ought to be investigated by a Select Committee of the House of Commons, but one which ought to be determined by authority. Now he (Mr. Aytoun) was always under the apprehension that the only authority which ought to determine anything in that House was the authority of reason and conviction in the minds of Members, and least of all did he expect to hear "authority" quoted, not by a Whig Minister—for he was afraid that a Whig Minister might rather like the term "authority" than otherwise—but by a Liberal Minister. He would surely have thought that a Liberal Minister would have desired the question to be settled by facts and reason. Then the right hon. Gentleman said that the opposition to the Bill was an opposition which is got up entirely by pressure brought to bear upon Members by political agents. Now, he (Mr. Aytoun) had the honour to represent a district of Scotch burghs which had no interest whatever in the matter, and certainly no pressure had been brought to bear upon him. He believed that it would be quite as much for the benefit of these burghs that the registers should be transferred to Edinburgh as that it should be retained in the county town of Cupar. He was not opposed to the Bill, but he said he was not acquainted with the facts, and therefore he was unable to form a judgment upon them; and on that ground he said that he was justified in asking that the Bill should be referred to a Select Committee, by means of whose labours he might be made acquainted with those facts of which he was now ignorant. He had no wish whatever that the Bill should be thrown out; and he assured the hon. and learned Gentleman that if he had the honour of a seat in that House in the new Parliament, when the measure was brought forward again, and if the House should determine to go into Committee upon it, he would offer no factious opposition to its passing. He had no personal feeling against the Bill. On the contrary, as far as his information goes, he must say that the knowledge he had obtained was favourable than otherwise to the measure of the hon. and learned Gentleman; but, at the same time, he did think that resolutely to refuse all inquiry had the effect of raising a feeling in the minds of the people of Scotland which it would be most desirable to avoid.

MR. CRAWFORD said, that the course which had been pursued illustrated the truth of the old adage, "The more haste the less speed." If the learned Lord Advocate had given the Scotch Members the inquiry they demanded, and to which they were entitled, he would probably now have been passing the Bill with certain amendments. At all events, he would have got it through this House far more easily than he was likely to do by withholding it. As to the doctrine of authority—which as a guide to legislation was one of the most astonishing doctrines that could be heard at the present day—who was to decide between the conflicting authorities? The learned Lord Advocate said that this was not a question for us to decide—that, being of a technical legal character, it must be decided by eminent lawyers, and that the highest legal authority was on his side.

The effect of that was that this was a matter with which the House of Commons has nothing to do, but must follow the course which the Lord Advocate and his authorities tell it to take; or, in other words, the learned Lord says to us, "Shut your eyes, open your mouths, and see what a Whig Minister will send you." No doubt, the learned Lord and his friends were honestly convinced that the scheme they proposed is the best. The learned Lord himself, his Commissioners, and every one else who had examined the question, admitted that the system of the registration of land rights in Scotland, viewed as a whole, was the most complete and practically useful system which had yet been devised in any country. They ought, therefore, to be on their guard, not unnecessarily to disturb that which was on the whole working well, nor listen too readily to those who recommended changes, which, although apparently more consonant with theoretical perfection, might be difficult to reconcile with the peculiarities of our existing forms of conveyancing, and with long established professional habits and usages. With respect to the advantages resulting from the saving of expenditure under the Bill, although there was a certain saving of expense, the present expenses might be very properly diminished without altering the present system a tittle. At any rate, comparing the expense of conveyancing in Scotland with the same expense in England, it would be found that in Scotland it was not one-third of what it was in England. He quite admitted that, if no system already existed in Scotland, the one proposed might be a good one. If there were a *tabula rasa* of the Scotch system, then there could be no objection to the proposition of the Lord Advocate; but he could not see the advantage of changing a system that had been in operation and had worked well for two centuries and a half, unless it clearly be shown that the advantages gained would counterbalance the inconveniences of a change of system.

The hon. and learned Member was proceeding to show that as far as expense was concerned that might be reduced without making the slightest alteration in the present system—when it being Four of the clock,

Debate adjourned till *To-morrow.*

THE CANADIAN DELEGATES.

QUESTION.

MR. **WARNER** said, he would beg to ask the Secretary of State for the Colonies, Whether there is any foundation for a statement which has appeared in the *Owl* newspaper to the effect that a perfect understanding has been arrived at between Her Majesty's Government and the Canadian Delegates; and, if so, when he will be prepared to acquaint the House with the precise terms of the arrangement?

MR. **CARDWELL**: Sir, the conferences between Her Majesty's Government and the Ministers from Canada have not yet been brought to a close, but I hope very soon to be able to report the result of those conferences to the House.

CHINA—DISMISSAL OF PRINCE KUNG.

QUESTION.

COLONEL **SYKES** said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether information has been received of the dismissal of Prince Kung from his office of President of the Board of Foreign Affairs at Pekin, and who has been appointed his successor; and whether official Reports have been received from the diplomatic and consular authorities in China of the progress of insurrection in several provinces as affecting the Export and Import Trade of the Country?

MR. **LAYARD**: Sir, I am happy to inform my hon. and gallant Friend that Prince Kung has been appointed his own successor. We have received a telegram at the Foreign Office from Pekin to the effect that he has been re-instated with all his dignities, and is again Prime Minister. We have no official Reports with regard to British trade, but on the whole the accounts are very favourable, with the exception of those places occupied by marauders. There is every prospect of the trade increasing.

ADJOURNMENT OF THE HOUSE.

VISCOUNT **PALMERSTON** moved that this House at its rising will adjourn till Thursday next.

UNIVERSITY OF LONDON.

OBSERVATIONS.

MR. **GRANT DUFF**: The University of London, whose claims I have been asked to lay before the House this evening, stands in a totally different relation to the Government of this country from that of the great majority of our educational institutions. It is almost a department of the Government. Its Chancellor, and three-fourths of its Senate, are directly nominated by the Crown; the regulations made by the Senate mnst obtain the sanction of the Home Secretary before they can become operative, and its accounts are regularly passed by the Audit Office, like those of any other branch of the public service. By its connection with the Government, it is obviously cut off from any resources which are open to other institutions, and it is not unreasonable that, since it suffers the drawbacks, it should also claim the compensating advantages of its semi-dependent position. There was a time when its name was a watchword of party, but that stage of its history has long passed by, and one would no more expect now-a-days to hear of any party opposition to its pretensions than to those of the Board of Customs. Indeed, I shall be perfectly satisfied if the right hon. Gentleman the First Commissioner of Works tells us this evening that the present Government is prepared to do as much for the University as I have reason to believe the Government of Lord Derby was prepared to do when it was last in power. In order that I may make quite clear the exact relations of the University of London to the Legislature of the country, I may be allowed, in two or three sentences, to recall its history to the minds of hon. Members. In the year 1825, a number of gentlemen, dissatisfied with the attitude which the old universities assumed towards their dissenting fellow-countrymen, united together and raised a fund of about £160,000, which was chiefly spent in erecting a large building in Gower Street. The idea of those gentlemen was to call into existence an institution which should *mutatis mutandis* resemble one of our Scotch universities. In due time they applied for a charter, and the question whether a charter should or should not be granted to them was, from 1830 to 1835, matter of constant and somewhat acrimonious dispute. At length, on the 25th of March, 1835, the House of Commons, by a very large majority, resolved to address the Crown to give them a charter. To that address a gracious answer was returned, and the question was considered settled. Meanwhile, however, the Liberal Government, which succeeded the short-lived administration of Sir Robert Peel, saw their way to doing more to meet the views of the persons who had erected the building in Gower Street than those persons had originally ventured to hope, and determined to create an institution of wider scope and higher pretensions, for which they borrowed the name of the University of London, while the institution in Gower Street retired into the background, and continued its useful labours under the name of University College. The University of London, as constituted by its charter in the last reign, and as re-constituted by two charters in the present reign, is an examining body, which confers degrees, honours, and prizes upon those who satisfy the requirements of its examiners, but which undertakes only to test the results of instruction, not to give instruction itself. It will be obvious, therefore, that when it asks for a building it does not contemplate so large an expenditure as would be necessary if, in addition to the facilities which it desires for examining candidates, it also asked for lecture rooms, professors' houses, and all the other apparatus of teaching. The correspondence of the authorities of the new University with the then Chancellor of the Exchequer, Mr. Spring Rice, led them to believe that the Government would, at no distant date, provide them with a suitable building, and they immediately entered upon the discharge of their duties, occupying for that purpose some rooms at Somerset House. That was the day of small things, and the accommodation was sufficient for the moderate scale of their first operations. In a few years, however, even that limited accommodation was curtailed, for some of their rooms had to be given up to the School of Design. From that day to this, for something like twenty years, the University has been wandering from one public building to another, indebted for the use of a hall now to the Royal Society, now to University College, and now to King's College, and carrying on its examinations as it best could, sometimes at Exeter Hall, sometimes in the Thatched House Tavern, and sometimes, strange to say, even in Willis' Rooms, where the solution of mathematical problems has before now been agreeably diversified by the rehearsals for a concert going on within earshot. At the present moment things are indeed altered, but not much mended. The University is now located in a corner of Burlington House, but the accommodation which it finds there is not nearly sufficient, and at any moment it is liable to be turned out, and again sent forth as a wanderer on the face of the earth. The rulers of the University supplement their wretched accommodation by all kinds of devices; for example, they use for their matriculation examination a shed which has been erected by the Volunteers in Burlington Gardens. Do what they will, however, the constantly increasing number of candidates who present themselves for examination threatens ere long to be too much for them, and to set their devices at defiance; for, whereas in the year 1838 they had only twenty-three candidates to examine, they had in the year 1863 no less than 1,020. It cannot be said this is a creditable state of things, and the senate has been for many years entreating successive Governments to do something for it, nor has any Government, so far as I am aware, failed to admit that its case calls for serious attention. The demands of the University authorities are not excessive. They want what is necessary to transact their business, and nothing more. For this purpose it is calculated that they must have a series of examination rooms, capable of accommodating not less than 400 candidates. They must have a collection of typical specimens, from which the numerous objects which are placed before the candidates in their scientific examinations may be selected. They must have a respectable library for examination purposes—they must have a hall in which convocation may meet from time to time to perform its necessary duties; and they must have proper accommodation for the senate—these are the essential features of the building that ought to be provided. That building ought to be central, because many of the members of the senate are men in public or professional life, with very little leisure, and on whose time it is not desirable to make greater calls than is absolutely necessary. Taking its stand as it does, upon its usefulness, the University is content to say little about its right to have a building which shall not only be suitable but dignified. It is confident that it may safely leave the House and the Government to take care that no injustice is done to it in this particular. All that it wishes is that Parliament should be correctly informed as to its present position—a position of which it may well be proud—as the following facts will show:—the University of London numbered about 1,600 graduates. Its senate consists for the most part of very distinguished men. The Lord President of the Council is its Chancellor, and one of the greatest of English historians (Mr. Grote) its Vice Chancellor. Its matriculation examination corresponds to examinations passed at Oxford and Cambridge after several forms of residence. Its ordinary B.A. degree implies very much greater mental cultivation than is necessarily implied by a simple B.A. at the older universities, and its examinations for honours take also a very respectable rank. Its examiners are men of the greatest eminence. It gives degrees in every faculty except theology. Its medical degrees are very highly considered; and it confers several degrees which are not conferred at Oxford and Cambridge. Such is the degree of M.S., Master in Surgery, and such is the new degree which it has just created, that of Doctor in Letters—one calculated, I cannot help thinking, to meet a want, and to be of great use. An institution which has done so much in about thirty years, may well claim to shed some honour upon the Government and the Parliament which has fostered it, and from which Government and Parliament it receives only the modest allowance of about £5,500 a year. And remember that this sum of £5,500 a year is not given to enable the University of London to compete with other institutions; nay, the Universityof London is little more than a channel by which the sum of £5,500 a year is distributed to English, Scotch, Irish, and Colonial Institutions, whose students may desire to have the results of their education tested by a perfectly impartial tribunal. It has no local connection with the metropolis. University College and King's College have no closer relations to it than Galway or Aberdeen, and a student at Galway or Aberdeen has now no privileges in connection with it over a student who, without going to any school or university, may have prepared himself for its examinations in the remotest of our colonies. It would be a mistake to describe it even as a national institution. It is an Imperial institution, taking no heed of birth-place, of creed, or of colour, but absolutely open to every subject of Her Majesty who chooses to offer himself for examination, and to pay a trifling fee. An institution which does so much for the State, and receives so little from it, may well ask to meet with some consideration; and, after wandering in the wilderness for a whole generation, to be at length placed in a building which it may call its own. Its authorities do not doubt that, if they once had such a building, they would be able enormously to extend the area of their exertions, and that whereas now more than a thousand candidates present themselves for examination in a year, they may have before another period of thirty years has passed away, as many as 3,000 students from all parts of the Empire coming to have the results of many different systems of education tested at this great central institution, or arranging, as has been done lately in the case of the Mauritius, to have themselves examined under the authority of the University of London, in the places where they reside. Till the University of London has such a building as I suggest, it will never have a fair opportunity of putting itself before the public; and if there were any way of testing the truth of what I say, I would be content to stake my whole case in favour of its having a building upon the assertion that at least a third of the Members of the existing House of Commons have either no definite idea as to what the University of London is, or else identify it with that exceedingly respectable institution in Gower street, to which I have already referred. If this be true, or if it at all approaches to being true, it will be generally admitted that a commodious, central, and dignified building for the reception of the University would be its best advertisement, and on the ground of mere utility I am content to rest its claims, hoping that the right hon. Gentleman may consent to do justice to them, and thereby gain credit for the administration of which he forms a part.

MR. COWPER said, his hon. Friend had not at all over-stated the claims of the London University to the favour and support of that House. He fully concurred in what the hon. Gentleman had said of the great usefulness of the University and the great benefits it had conferred upon the education of the country. Any one who knew anything of the subject must be aware that the examinations provided by the University had been a great means of improving the education which was given in a large number of the educational institutions both in this country and in the colonies. The degrees given by the University were held in high esteem, more especially those in the branches of medical and physical science. There was no question, therefore, that the London University ought to receive all the support and encouragement in its useful labours that could be fairly and properly given by the Government and the House. He thought it was unfortunate when the charter was granted thirty years ago, that no permanent provision was made for its accommodation. It was for many years lodged in a very imperfect and inconvenient manner; but since then the University, having had the use of a portion of Burlington House, the complaints previously made of want of space had not been repeated until lately. The space it then had had now become inadequate for its purpose, and the subject of providing additional accommodation had been under the consideration of the Government for some time past. It was the wish of those who represented the University that it should remain where it now was, and it was generally agreed that Burlington House was as convenient a place as any that could be found for the purpose. Fortunately, too, there was then a considerable space unappropriated which might very well be devoted to this purpose. There were two ways in which the accommodation might be provided, and the choice between those alternatives had probably been the reason why a more early decision had not been come to on the subject. On the one hand the University might remain in the apartments, and halls, and rooms which were at present appropriated to it, and such additions made to the premises as might be necessary for its work. It would not be difficult to add one or two examination halls and some other rooms to the present building. On the other hand, some of the friends of the University maintained that what was required was a new, distinct, and separate building, which might be known by all the world as a building to which the name of "The London University" was attached, and they thought that such a building would, as his hon. Friend said, act as an advertisement, and would make known to all passers by that the London University was a tangible and visible institution. He thought there was considerable doubt whether the expenditure required for the erection of a really handsome, imposing, and dignified building, especially appropriate for the purposes of a University, would be commensurate with the advantages to be thereby attained, and whether, after all, the London University was not mainly known by its actual educational work in connection with educational institutions. These were matters that required great consideration, and in regard to which so rapid a decision could not be come to as if the claims of the institution were of a more restricted character. He could, however, assure his hon. Friend that the matter had not been lost sight of by the Government. There was every disposition to provide the University with suitable and adequate accommodation for carrying on the valuable work in which it was engaged. At present, probably, the addition of one examination hall and a waiting room for candidates was all that was absolutely necessary; but he admitted that if the matter was to be dealt with they must not be content to look at the immediate wants of the University, but must remember that it was a growing institution. The number of persons who were anxious to take degrees were always increasing, and he was glad to see that the Council of the University were always ready to extend their operations whenever they found that any branches of scientific knowledge required that more attention should be paid to them, and that greater facilities should be afforded for their cultivation.

ARMY—ORDNANCE SELECT COMMITTEE OBSERVATIONS.

MR. H. BAILLIE, in calling attention to the proceedings of the Ordnance Select Committee, said, that when on a former occasion he had thought it his duty to direct the attention of Parliament to what he considered the mismanagement of Ordnance Department, he then stated that the Ordnance Department had been unable during the last five years to furnish the Admiralty with sufficient guns for naval purposes; that a vast and extravagant expenditure had occurred without any adequate result; and that the Department was administered by a committee of officers, who were practically without responsibility, and who had very anomalous duties to perform; he stated that they were called upon to pronounce judgment upon the inventions and manufactures of other persons, whilst they themselves had become rival manufacturers and inventors, carrying on their experiments and transactions at the expense of the country. These statements were at the time denied by the noble Lord the Under Secretary for War, and he was also surprised to hear a very emphatic denial from his right hon. Friend the hon. and gallant Member for Huntingdon. He, therefore, felt, under the circumstances, that it was his duty not only to state but to show that not only was the statement he then made perfectly correct, but that the evils that existed, if continued, must prove injurious to the public service. The Ordnance Select Committee was appointed by his right hon. Friend the Member for Huntingdon when he was Secretary of State for War, the previous Ordnance Select Committee having been dissolved upon the ground that some of its Members had become inventors; and his right hon. and gallant Friend stated, before a Select Committee of the House, that when he appointed the Ordnance Select Committee he had no intention that they should become inventors. He (Mr. H. Baillie) did not know what might have been the understanding at that time, but this he did know, that his right hon. Friend had not left office many months before the Ordnance Select Committee commenced their career as inventors, and he would show that the President and Vice President of that Committee had become inventors, and that their inventions were submitted to the Committee over which they were called upon to preside. The President of the Select Committee appointed by General Peel was Colonel, now General, St. George, and the Vice President was Captain Wiseman, R.N. He found, from the evidence published by the Select Committee of 1863, that a table was put in of various inventions undertaken by inventors for the purpose of strengthening cast iron cannon, so as to convert them into rifle cannon. And among the inventions he found in 1860, a few months after General Peel had left office, two 32-pounders, cast iron, smoothbore, slightly tapering from trunnions to breech, on a plan proposed by General St. George, C.B., and bored up to 68-pounders; but the experiments failed, the gun having burst after sixty-seven rounds. He found again that two 32-pounders, cast iron blocks, were treated in the same manner and submitted to a trial, and that they also burst after sixty-eight rounds; so that here they had the President of the Committee submitting his invention in cast iron guns to the Committee over which he was called upon to preside. Then he found that Captain Wiseman, Vice President of the Committee, submitted an invention for a new gun-carriage for ships, which received the seal of the Committee; so that the gun-carriage was actually received into the service. One hundred and fifty of them were constructed at Woolwich, and they were tried on board the *Excellent* and failed. He now came to the Vice President of the present time, Captain Heath, R.N. He, he found, was the inventor of a magnum shell with a large bursting charge. The shell was tried on 3rd November, 1864; and one shell turned over at a distance of 434 yards from the muzzle of the gun, and the remainder were unsteady, and the experiment was regarded as a failure. Now, he did not blame those officers for trying their experiments at the public expense. It was quite natural they should do so if they were permitted; because, if they succeeded, they gained all the honour and glory of the trial, while if they failed the expense was borne by the country. It was not, however, only as individuals that the Committee were inventors. The Committee itself had invented a gun which was brought forward as the gun of the Ordnance Select Committee. The public had heard very little of it—it was proved, but had been heard of no more—but he had been curious enough to examine into the matter. He had procured a description of the gun from an artillery officer of high rank. That description was as follows:—

> "The Select Committee gun weighs 82 cwt. 1 qr.; length, 9 5-12; calibre, 7·1 in.; spiral not known; grooves, 15, 0·73 in. wide by 0·5 in. deep; charge, 16lb.; shell, a compound of steel, cast iron, and lead; body cylindrical, of cast iron, inclosing a steel core; head, hemispherical, false; lead outside all; bottom of shell secured with a wooden sabot like Bashley Britten's. Altogether, it appears to combine the worst properties of many inventors' shells without their corresponding advantages. It produced no effect on the target."

He would presently refer to another gun which had been produced by the Committee; but before he entered into what they were about at the present moment, it would be necessary that he should advert to the present state of our naval armaments, which, he regretted to find, were in a more uncertain and doubtful condition than they were when he last addressed the House on the subject a few months since. Now, what were the modern guns which they possessed at the present time? They knew that they possessed 1,000 of those fine-groove breech-loading guns commonly called the Armstrong 110-pounders; but these guns, they were lately given to understand, were not deemed suitable for naval purposes, and were to be superseded by a new 64-

pounder shunt gun. It was perfectly true that at the commencement of the present year these new 64-pounder shunt guns were sent on board the ships of Her Majesty's fleet; but they now heard that these guns in their turn (150 only of them having been completed) were to be superseded by a new gun, to be called the Woolwich gun—a gun totally different in principle from either of the others, and admitted to be so far imperfect that the depth and width of the grooves of the rifling, or the gaining, or even the twist, had not yet been decided upon. With reference to the introduction of the shunt gun into the service and its discontinuance, he found the following remarks in *The Mechanics' Magazine,* and, from the information he had received, he believed it to be perfectly correct. The statement was to the following effect:—

> "The shunt gun has been definitively abandoned, and no large guns will for the future be rifled on that principle. The 64-pounders which have so very recently been finished and issued to the Royal Navy have utterly failed on trial on board ship. The shot with the hollow head did not travel in a straight course, and were found to break up on impact, or even by a fall upon the ship's deck. The intention now is to make a new shot, which is to be hollow in the rear. The shells from this naval 64-pounder have been found to burst prematurely in the gun, and in one gun on board the *Excellent* the rifling was entirely destroyed from this cause. A second gun was also seriously damaged by a similar premature explosion of the shell. The rifling of the French gun, which has a gaining twist, has been strongly recommended by the Ordnance Select Committee for naval guns. The Committee, however, state that it will be necessary to introduce sundry modifications, which it is now engaged in carrying out, previously to applying the system to the naval guns of 7, 8, and 9-in. bore, weighing 6½, 8, and 12½ tons respectively. The new gun, constructed according to the Committee's modifications of the French rifling, is to be called the 'Woolwich' gun. This, then, is the present position of matters in this respect, a position which speaks so plainly for itself as to render more than superfluous any comment on our part."

That state of things was, he thought, sufficiently alarming for the British taxpayer, even if regarded simply as a question of present money payment; but when it was borne in mind how great was the confusion which was thus being introduced into our armaments, it would, he thought, be considered high time to inquire how such sudden changes in the opinions of those to whom those important matters were intrusted had been brought about. What, he would ask, was this Woolwich gun? Who were its inventors? Hon. Members were all aware who invented the finely grooved breech-loader, and the shunt gun, the Whitworth, the Lancaster, and various others; but of the new Woolwich gun they absolutely knew nothing, except that it was recommended to the naval service by the Ordnance Select Committee to rival all others on this principle. They had no information with respect to this gun except that it was put forward and recommended by that Committee which they had been told by the Government did not invent, and which the public believed to be sitting in calm and unbiassed judgment upon the inventions and systems recommended by others. Now, everybody knew how fond inventors were of their own productions, and it would, he was sure, be admitted that they were the last persons to be relied upon for a fair opinion upon the works of their own brain. But that did not appear to be the view taken of the subject by the Government, for they seemed to think that inventors must naturally be the best judges of their own inventions. He would, with the permission of the House, give an example of the injustice to which the system which prevailed naturally led, and of the evils which must result from it should it be continued. For the last twelve months it appeared that the Admiralty had been very urgent in their demands on the Ordnance Select Committee to be furnished with a gun rifled upon the most approved principles for the naval service. The Ordnance Committee were, unfortunately, all abroad, and could not make up their own minds as to which system was the best. They had many systems before them, but they could not come to any definite decision as to which it was most desirable to choose. At last, being strongly pressed by the Admiralty, they determined to have a competition between the different guns under their consideration, and of that competition he held in his hand the printed programme. From that programme he found the trial was to be one between four guns rifled on four different principles. They were to be 7½ tons weight, 7-in. calibre, wrought-iron guns, which were of the size sometimes called 120-pounders, and were to be fired with five different projectiles. The guns consisted of the Scott gun, the Lancaster gun, the Bashley Britten gun, and the early pattern French gun. The Bashley Britten gun was soon withdrawn from the contest, because it was found to be incapable of standing the heavy charge of 25lb. Subsequently the shunt gun was introduced; and the competition commenced and was carried up to a certain point, when it was suddenly stopped—no one knew why or wherefore. Up to that point Captain Scott's was the winning gun. It appeared, however, some of the Committee thought they saw that by uniting the principles of two of the systems under trial they might produce a gun of their own which would suit their purpose. They accordingly had a gun constructed adopting in its construction two of the principles of the guns brought under their notice. That was the second production of a Committee which the House was told did not invent, but which was not, at the same time, above adopting the inventions of others and bringing them forward as their own. A few hasty and very imperfect experiments were made with the new gun, but no official report had been made with respect to it. An account, however, of the competition was given in *The Engineer* newspaper, which was the ablest paper in the world on such a subject. From that account he would read the following extract:—

> "In our last week's impression we gave a table of the ranges of the 7-in. competitive guns, supplied by the President of the Ordnance Select Committee. These ranges were the most favourable for the French gun, its shot having been fired with only 20lb. charges, which their zinc studs could withstand, but when the full powder charge of 25lb. was used the studs were partially sheared off, and the shot, consequently, had a very erratic flight. The loading of the French gun was likewise difficult—so much so that the Committee cut off the rear stud to facilitate the operation, which had, however, the effect of making the shooting still more inaccurate, and they then reduced the size of the buttons. It was at this period that the special correspondent of the *Standard,* who had been favoured with the ranges, &c., of the 7-in. competitive guns, reported that the French gun was virtually *hors de combat,* and the contest now laid between the Scott and Lancaster guns. At this point of the competition, when the victory seemed to be secured to the former gun, from its superior facility of loading and its great advantage in round ball firing, the Committee again interposed, and this time entirely broke through the rules of their own printed programme, introducing, as they themselves state, a complete alteration in the 'arrangement of the studs'—'the metal was changed from zinc to gun-metal, the smaller stud was placed in front, and the larger one behind; both were attached in a different manner.' Had the inventive faculty of the Committee stopped here this change would still have been a clear breach of faith; but, having once commenced to make alterations, they now went much further, and used the experience already obtained from Commander Scott's well-known plan of loading and centring, and applied it to their new projectiles for the French gun. This plan, so much commended in the work of Mr. A. Holley, U.S.A., consists in keeping the body of the projectile clear of the bore of the gun, so that the shot readily loads upon a narrow bearing in the rifle groove, which is rounded to such a curve that the shot may rise up into the centre of the gun on the first pressure of the elastic fluid in firing."

If this statement were correct, it was obvious that the Committee had constructed their gun by adapting the system of Captain Smith to the French gun. Was this fair or honourable to inventors? It was bad enough to steal a man's purse; it was worse to steal the produce of his brains and to bring it before the world as your own. It was perfectly monstrous if this gun had emanated from the Ordnance Select Committee, or had been arranged under their superintendence, that they should be the judges of its value. That this Committee were not above the average of humanity was, he thought, proved by this startling fact—that although they had made a report on the accuracy of the shooting of this gun, under exceptional conditions as regarded actual warfare, they neglected to mention that this accuracy was accompanied by a rapid deterioration of the grooves of the gun, and that the gun was already, after the short trial to which it had been exposed, fissured or split in a very dangerous manner. That was a statement which the noble Lord might verify if he thought proper. He must, however, protest against this or any other gun being introduced into the service until it had received a fair trial before Judges who had not prematurely pronounced upon its merits.

He would now turn to another subject—namely, the advice given by the Committee to the Secretary of State for War, which, it was stated, the noble Lord had accepted, and which, if carried out, would be very costly to the country. The Ordnance Select Committee had decided that the name of the 110lb. Armstrong gun should be changed, and that the gun should henceforth be called the 7-inch gun; they recommended that the weight of the projectile should be reduced from 110lb. to 90lb., and that the charge should be reduced from 14lb. to 10lb. Such a change involved the loss of all the existing projectiles that had been purchased at an enormous cost—not only those in this country, but also those in the colonies, and the immense quantity in store in Woolwich. It was also stated that 60,000 projectiles of the new pattern had been ordered. The House was probably not aware of the cost of one of these

110lb. projectiles. He did not pretend to fathom the mysteries of Woolwich accounts, but the charge made at Elswick was 25*s.* for each projectile. Assuming that they could be manufactured for considerably less at Woolwich, the cost of the charge would nevertheless be enormous. If the money were spent in new guns, the country would have something for its money; but here was a worthless gun rendered inefficient by the charge being reduced from 14lb. to 10lb. What would be the use of the Armstrong gun to the navy with this reduced powder and charge? It might be useful for land service, but not for the navy. It was admitted that the First Lord of the Admiralty was answerable for the guns supplied to the navy. Why did not the noble Duke (the Duke of Somerset) take the responsibility upon himself instead of throwing it upon the Ordnance Select Committee? The noble Duke was well aware of the requirements of navy guns, which greatly differed from those used on land. There were three requirements for a naval gun—simplicity, facilities for loading, and the power of using round spherical projectiles in addition to the projectile appropriate to the gun. They might have had a gun embracing all these requirements, but the proposal was not listened to by the Ordnance Select Committee. The first Lord of the Admiralty was a man of ability and great experience—he had a knowledge of the subject, and he was surrounded by the ablest advisers at the Admiralty—men much more able than the members of the Ordnance Select Committee. Above all, the First Lord was unprejudiced. Why should not the Duke of Somerset take this question into his own hand, and decide upon the rifling as well as the description of gun required by the navy? If he would do so, he (Mr. Baillie) felt persuaded that he would not only give satisfaction to the service, but also to the people of this country, who had so long and so patiently waited for the Ordnance Select Committee to make up their minds, when it was known that it was absolutely necessary that some good gun should be obtained.

Mr. PEACOCKE said, he had taken the liberty a few weeks ago of asking the noble Lord the Under Secretary for War whether the trial between the French gun and the shunt gun had been made under circumstances favourable to a fair comparison. The noble Lord replied that such questions were very inconvenient, and that he (Mr. Peacocke) ought to take an early opportunity of stating what ground existed for any suspicion of unfairness on the part of the Ordnance Select Committee. His hon. Friend (Mr. Baillie) had relieved him from the necessity of going further into the matter; but he would now give the noble Lord precise reasons for believing that the comparison had not been fairly conducted. The shunt gun was placed on a fixed iron platform; the French gun on an elastic if not rackety wooden one. The shunt gun was given at the muzzle just one-half the windage given to the French gun. Lastly, the bore of the shunt gun was tapered, while that of the French gun was cylindrical throughout its length. He thought that unless the noble Lord was prepared to controvert these statements the House would admit that he had been justified in asking the question of which the noble Lord had complained. The best proof of the fact that some of the members of the Ordnance Select Committee were inventors was one of their own rules, which set forth that members of the Committee should not sit upon their own inventions. This showed that a great departure had taken place from the principle upon which the Committee had been nominated, because the right hon. Gentleman the Member for Huntingdon, when he appointed the Committee, stated that one of the fundamental principles of its action would be that no Member of the Committee should himself be an inventor.

ARMY—MILITARY CHAPLAINS IN NEW ZEALAND.—QUESTION.

Colonel HERBERT, in rising to ask the Question of which he had given notice, said, that during the war in New Zealand the reinforcements of troops sent out brought up the total to 10,000 men. There was only one chaplain of the Church of England with them, and the Bishop of New Zealand volunteered the services of himself and several of his clergy. They performed that duty, it was needless to say, most efficiently. But as it was somewhat inconvenient, not to say derogatory, to these clergymen that they should be indebted for their food and the forage of their horses to the hospitality of officers, whenever they visited the camp, representations were addressed to the Secretary of State, who immediately sanctioned the issue of the pay and allowances attached to the office of acting military chaplains. But, by an Order dated February, 1865, stated to have been issued in consequence of a letter from Lord de Grey, all these clergymen were turned off by General Cameron without a days' notice. He trusted that this Order had arisen from a misconception of the instructions conveyed in Earl de Grey's second letter, since it was wholly opposed to the spirit of his former despatch. The House, he believed, would agree with him that our troops, scattered as they were, ought not to be left without the advantage of clerical superintendence, wherever this could be obtained; and also that clergymen giving their services to the army, ought not to be expected to act gratuitously. He therefore begged to ask the Under Secretary of State for War, Whether any instructions have been sent to General Cameron which have induced him to withdraw from the Clergymen acting as Chaplains to the Troops the pay and allowances given them while performing duty with the Troops; what number of Clergymen had been drawing such pay and allowances at any one time; what number of Military Chaplains of the Church of England are serving in New Zealand, and the number of troops now there; and whether he will have any objection to lay upon the table of the House any instructions bearing upon the subject?

MR. HUSSEY VIVIAN said, that having acted for two years on the Select Committee, the difficulty and doubt which he had always felt was as to the person responsible for the adoption of any particular arm. During the past few years serious mistakes had been made, both as regarded small arms and ordnance; but one might almost defy any person to say who was responsible for these mistakes. What was needed was the guiding hand in this branch of expenditure. In the navy, if defective ships were built, there was a Constructor who could be blamed or superseded; but in the army there was no corresponding official. In former times the Master General of the Ordnance was responsible for the Vote for small arms and big guns; but the noble Lord would hardly say that the present Director General of Ordnance was responsible for the selection of any particular arm. As regarded the Select Committee, questions were no doubt submitted to them for their opinion, but they were not entitled to make suggestions.

THE MARQUESS OF HARTINGTON said, the question of responsibility just raised by the hon. Member for Glamorganshire had been fully discussed on the last occasion, when the subject of heavy ordnance was before the House, and it was then agreed on all hands that the Secretary of State for War, and no one else, was responsible to the House for the adoption of any gun or system of ordnance. The functions of the different offices enumerated by the hon. Member were perfectly defined. The Select Committee was a consultative body, principally charged with carrying out such experiments as were necessary to ascertain the merits of the different inventions, and to make reports for the guidance of the Secretary of State. These reports were made to the Director of Ordnance, to whom also, in the first instance, the proposals of all inventors relating to improvements in ordnance were referred. The Director of Ordnance was the adviser of the Secretary of State, and was held responsible by him to a considerable extent for the advice which he gave; but the responsibility of making any change, or of deciding upon any new system, rested, as far as that House was concerned, finally and solely on the Secretary of State himself.

With regard to the statement of the hon. Member for Inverness (Mr. H. Baillie), he would not follow the hon. Member into all his details. The complaint of the hon. Gentleman against the Select Committee was two-fold—that in defiance of what had been stated by the right hon. Member for Huntingdon and himself, the Committee were inventors; and that they had not carried out the competition as to the 7-inch gun in a fair and satisfactory manner. As to the first of these allegations, he was not aware that the gallant General had ever stated that no Member of the Select Committee should bring forward any invention of his own, or that any positive rule had been laid down prohibiting the Members of the Committee from being inventors. No doubt, their functions were not inventive; but if any of the members were in a position to suggest any useful improvement or important alteration, the regulation seemed an absurd one that would debar them from doing so. The hon. Gentleman, after considerable research, had only brought forward two cases—he said that General St. George had invented a rifled gun, and that another Member of the Committee had invented a new gun-carriage, which had been adopted. He was not in a position to say whether the inventions by Members of the Committee had been correctly described in those two instances; but if, during the seven years or more that the Committee had exercised their functions, those were the only cases that could be adduced, the Committee certainly had not been an inventing body to any great extent. The hon. Member also stated that the Select Committee had invented a gun. The facts simply were that Mr. Bashley Britten and Mr. Jeffrey having brought forward different systems of projectiles for rifled guns, without having proposed any special gun to give them, it seemed to the Committee unnecessary to have two guns to try the different systems. One gun, therefore, was prepared capable of testing these different projectiles; there was nothing peculiar about it, but as it could not correctly be called the Bashley Britten gun or the Jeffrey gun, it was called by the name of the Select Committee, and it was used solely for trying these two kinds of projectiles. A more important point appeared to be the manner in which the competition between the 7-inch guns had been conducted; and, perhaps, it would have been well had the hon. Gentleman postponed his observations on that point, until the Report of the Select Committee which had been moved for was produced. So far from departing from the conditions laid down in the printed programme, he believed they had not done so in any instance. The 22nd Article said—

> "The Committee reserve to themselves full latitude in the use of this second 100 rounds to fire them in such a way as to bring out the strong or weak points of any one of the systems in such a manner as they judge best calculated to answer the purpose of this inquiry — namely, which of these five systems of projectiles and four systems of rifling is to be preferred, and to determine whether any one of them is to be recommended for further trial or adoption."

The Committee in other respects laid down very stringent conditions, which had been scrupulously adhered to, as to the way in which the competition was to be conducted. The hon. Member said that up to a certain point the competition was entirely in favour of Commander Scott. But when the Report should be laid upon the table the hon. Gentleman would see that he was completely in error in that statement. The hon. Member said that another gun was then introduced in which the different merits of the different systems which had been proved by experience were adopted, and that was done for the purpose of competing with Commander Scott's gun. Where the hon. Gentleman had got his information he could not say, but he could assure the House that no alteration whatever had been made in any one of the guns from the time that the competition originally begun. The complaint which Commander Scott made against the Committee was that they refused to allow him to make certain alterations which would add to the efficiency of his gun. But the Committee were willing to allow him or any of the competitors to make any alterations which appeared reasonable, and which would not clearly prolong the time within which the competition should take place; but they were not willing that such alterations should be made as would necessarily take too long a time and seriously delay the trial. Besides, this competition was not ordered with a view of enabling competitors to work out by experiments a good system of rifling. The object of the Committee was to test five different systems, each of which had been so far tried by experience as to have assumed at least, in some respects, the characteristics of a complete system of rifling. The hon. Member had asked what was this Woolwich gun. He would explain that. In the course of the competition the Committee recommended that a system which had not been brought forward by any inventor in England should also be tried. That was a system of rifling on the French principle, and the gun rifled upon that system was what the hon. Member thought fit to designate as the gun of the Select Committee. But the Select Committee had no sort of interest in that gun, except that knowing it had been adopted by the French Government they thought it desirable that the system upon which it was rifled should be tested in comparison with the other systems. The only alteration which was made and which the article of the programme to which he referred fully admitted, was the alteration in the position of the sights on the French gun. That alteration consisted solely in reversing the position of the large and small sights, but no alteration whatever was made which effected the general principles of the system. As to the assertion of Commander Scott, that the Committee adopted his plan of centring the shot, the Committee entirely denied that Commander Scott had any right whatever to what he now claimed as his invention of this principle of centring the shot. In his first communication to the Government, Commander Scott described his system of centring the shot as very analogous to Mr. Whitworth's, and, as the Committee had shown, the very system which Commander Scott claimed as his own had been in use among some of the oldest inventors; and they further expressed a strong doubt whether this mysterious operation of centring the shot ever took place at all.

With regard to the statement made by the hon. Member for Maldon (Mr. Peacocke) he (the Marquess of Hartington) certainly did say that it was extremely inconvenient that matters involving the character of the Select Committee should be brought forward in the form of a question, inasmuch as within the limits of an answer it was not possible that a satisfactory explanation could be given. The hon. Member stated, that in the competition which took place one gun was fired from a wooden platform and the other from an iron platform. That fact might have given some advantage during part of the trial to one gun over the other, but if the hon. Member had not been so precipitate in asking the question the error might have been corrected, for it was intended by the Committee to do what was ultimately done—to change the gun from one platform to the other. The hon. Member stated that the shunt gun had less windage allowed than the French gun. That might be accounted for in this way. The first supply of shot to these guns was ordered to be made with a smaller windage than the second and third supplies, in order to bring out as fully as possible all the best qualities of the gun. It was obvious that the smaller the windage the greater the accuracy, and it was probable that the shunt gun was fired with shot from the first supply, while the French gun was fired with shot from the third. As he had said before, the Select Committee had no interest whatever in these guns beyond what everybody had in securing a good system of rifling for the guns of the service. Neither did the Committee claim any merit whatever as inventors of the French gun, and although it was true, as stated by the hon. Gentleman, that they recommended that the guns now rifling should be rifled on what was called the Woolwich system, that was simply and solely because the results obtained by that system had been considerably superior to those of any other system. He believed there was no other point brought forward by the hon. Member upon which an answer was required. It was a matter of great consequence that the trial in so important an affair should be conducted in the fairest possible manner. No one had any ground for stating that the Committee had shown any favour whatever to any of the competitors, and he was quite certain that they had shown none whatever for what was called the French system, but was now denominated the Woolwich principle of rifling.

With respect to the question put by the hon. and gallant Gentleman opposite (Colonel Herbert) he was not aware that any Orders had been sent out to General Cameron on the subject of chaplains, except an Order in October, 1863. There was at that time a very large number of officiating chaplains employed with the forces, and General Cameron was informed that Lord de Grey was desirous of reducing the number. At the date of the last Returns for the quarter ending the 31st of December, 1864, there were in the colony five Church of England, six Roman Catholic, and five Presbyterian officiating clergymen, in addition to the commissioned chaplains of the forces, of whom there were two Church of England, two Roman Catholic, and one Presbyterian. He had no knowledge of any such order as that attributed to General Cameron having been issued by him; but if issued, it had been under a misapprehension of the order of the Secretary of State. It would be seen that some reduction had been made, but General Cameron had full authority to employ as many clergy as he might consider necessary.

Motion *agreed to.*

House at rising to adjourn till *Thursday* next.

AZEEM JAH (SIGNATURES TO PETITIONS.)—COMMITTEE.

Order for Consideration of Report read.

Mr. HENNESSY presented a petition from Mr. G. M. Mitchell on this subject, and moved that it be read by the Clerk at the table.

Whereupon a Petition of George Morris Mitchell, praying for further inquiry before another Committee, composed of Members not having previously sat upon this inquiry, *brought up*, and read.

Mr. CHARLES FORSTER said, the House would remember that the Committee which had inquired into this subject reported that George Morris Mitchell, together with Powell Marshall and Henry Whitehead, had been guilty of a breach of the privileges of this House. Mitchell having presented a petition asking for a further opportunity of defence, the House directed that the Report should be re-committed, and that this opportunity should be afforded him. In the course of the former inquiry the expert delivered in a list of forged names. The Committee had summoned before them the whole number of twenty-seven persons named in the list referred to in Mitchell's petition. Of these nineteen attended and stated that they were in total ignorance of the petition and gave no authority for their signatures. The expert stated that he saw no reason to alter or modify his evidence. But, independently of the expert, a clear breach of privilege was established by the evidence of Mr. Graham. Mitchell acknowledged that Mr. Graham's signature was in his handwriting, but said he wrote it by that gentleman's authority. Mr. Graham, however denied that he had ever given such authority, and that up to the time of his appearance before the Committee, he was in ignorance that his name had been signed to the petition ; and his evidence, so far from being shaken, was strengthened when confronted with Mitchell. Throughout the whole inquiry Mitchell received every indulgence. They granted adjournments to him on two separate occasions, in order that he might bring up witnesses ; in one case they procured him a Speaker's summons ; and in another they allowed him the expenses of a witness from Manchester. But the result of the fresh inquiry and the examination of witnesses was that a clear case was established against the three persons charged with this breach of privilege. By a majority of seven to one the Committee resolved that they—

> " See no reason to alter or qualify their report already made to the House, and are satisfied upon the whole of the evidence laid before them, and upon their own renewed and repeated personal inspection of the several documents and signatures forming part of that evidence, that the said George Morris Mitchell has wilfully affixed a great number of fictitious signatures to several of the petitions in question, without the knowledge or authority of the persons purporting to have signed those petitions ; and that the said George Morris Mitchell, as your Committee have before reported, has therein been guilty of a breach of the privileges of this House."

The Committee also resolved as to Powell Marshall and Henry Whitehead, that they saw no reason to alter or qualify their Report respecting those persons. The Committee had not the power of examining witnesses on oath, and had not the assistance of counsel, but they had endeavoured to find the facts to the best of their ability. It was now for the House to determine what further steps were necessary in order to protect its own privileges. The Committee had no wish to press on these persons with undue severity, but they felt that, if this House was not to be trifled with in the matter of petitions, such a breach of privilege as had been committed here could not be allowed to remain unpunished. In accordance with precedent the course for the House to pursue would, he believed, be to accept the finding of the Committee and direct that Mr. Speaker should issue his warrant for the committal of George Morris Mitchell to Newgate, and that Powell Marshall and Henry Whitehead should be committed to the custody of the Sergeant-at-Arms. The hon. Member concluded with his Motion.

Motion made, and Question proposed,

> " That George Morris Mitchell, having fabricated signatures to several Petitions presented to this House, and having knowingly procured other fabricated signatures to such Petitions, has been guilty of Contempt and a Breach of the Privileges of this House."—(*Mr. Charles Forster.*)

MR. HENNESSY said, he should have anticipated that the Attorney General would have favoured the House with his opinion on a question of such importance. It was remarkable that Mr. Strutt, who got up the petitions, paying a penny per head for each signature, had never been mentioned by the hon. Member. Mr. Strutt not only paid for the signatures, but was fully cognizant of the fact that the signatures were fictitious. Those petitions were presented to the House by the instigation of Strutt, and he knew they were forged, for a letter was produced from him before the Committee, in which he expressed, some time before the petitions were presented, his doubts as to the genuineness of the signatures. And yet his name was altogether omitted by the hon. Member for Walsall. Mitchell all along expressed his desire to cross-examine Mr. Strutt, but in the second Committee he was again refused the opportunity. Again and again he had expressed a wish to ask Mr. Strutt some questions, but he was not allowed. Hon. Members would see that by turning to the evidence, and at question 2,136 they would see how the hon. Member for Finsbury (Mr. Cox) was stopped by the Committee when he was proceeding to put some questions to Mr. Strutt on Mitchell's behalf. But it was not only the noble Lord the Member for Stamford (Lord Robert Cecil) who said that the Committee was condemned; the Attorney General said the report of the petitioner must not be sent back, as it would be a reflection on the Committee. [The ATTORNEY GENERAL: I never said anything of the kind.] Then the hon. and learned Gentleman had been hardly treated, for all the daily press concurred in attributing expressions to him to that effect. When the last Report of the Committee was presented and the hon. Member for Walsall proposed to commit Mitchell to Newgate, the House appeared unanimously of opinion that they had been too hasty in their decision, and especially in not allowing Mitchell an opportunity of cross-examining Mr. Strutt. They ordered the Committee to re-consider their proceedings; but notwithstanding that, the Committee still refused to allow Mitchell an opportunity of cross-examining Mr. Strutt. When the Committee met again Mr. Netherclift, the expert, was recalled and admitted that he had made a mistake about one signature and that he was puzzled about another—curious admissions for an expert to make. It was no wonder that he was puzzled, for he had never seen Mitchell write, and he only judged by comparison of handwriting. He was handed certain receipts and other documents, and told that they were in Mitchell's handwriting, and from looking at them he formed his judgment as to the forged signatures. But Mitchell produced three or four witnesses, who had known Mitchell for twenty years and who had often seen him write, and they swore most positively that the signatures were not in his handwriting. Mitchell himself supported this evidence by handing in a statutory declaration denying what he was charged with. The only evidence on the other side was that of Netherclift, who admitted that he had been mistaken and puzzled. As to the receipt which was said to be in Mitchell's handwriting, it was proved satisfactorily that it was not. The man who actually signed it was produced, and Mitchell's medical man, who told the Committee that at that time Mitchell had broken his finger, and was totally unable to sign his name. The hon. Member for Finsbury in the Committee had moved a Resolution, which was a great deal more in accordance with the justice of the case than that of the hon. Member opposite, to the effect that though if they had been sitting as magistrates they might have been justified in committing Mitchell for trial, yet acting both as Judge and jury they were not justified in returning a verdict of guilty. He himself had refused to attend the second Committee, because on the previous occasion most of the hon. Members of the Committee had expressed their opinion of Mitchell's guilt, and he thought that it was rather hard upon the man that he should be re-tried by persons who had already pronounced a verdict. Under all the circumstancs, seeing that Mitchell had not been allowed to cross-examine Mr. Strutt, that most of the evidence had been taken behind his back, that many questions had been asked which would never be allowed in a Court of Justice, and that none of these charges could ever have been proved in a Court of Justice, he hoped the House would not press its privileges to the length which was proposed by the hon. Member opposite. The man who paid for the signatures and who distributed among the Members petitions to which were affixed signatures which he knew were fictitious, he was passed over, and his agent was to be punished by that House. He trusted the House would not take that unfortunate course.

THE ATTORNEY GENERAL said, there was no class of cases with which it was more painful to deal than such as were exemplified in the present instance. But the House owed an imperative duty to itself and to its Committees not to be deterred by any disinclination from asserting and vindicating its rights and privileges. The very tone adopted by the hon. and learned Gentleman opposite (Mr. Hennessy) seemed to make it more incumbent on the House, unless it believed that its Committee had exceeded their duty, to mark its sense of the practices into which the Committee was appointed to inquire. Every one knew that no Committee except an Election Committee had power to administer oaths; but that was no reason why the House should abdicate its own powers. Of course the examination before a Committee was not and could not be conducted with the technical strictness of a Court of Law; but still the House was able to judge of the real merits of the case presented to it, and if they saw the substance of a case made out it was bound to vindicate its privileges. Then, what was the case before the House? He dissented from the statement that, by referring the matter back to the same Committee, the House intended in the slightest degree to reflect upon the manner in which the Committee had discharged their duty. There was no distrust of the Committee, and there could be none. Upon that Committee was the hon. and learned Member for Suffolk (Sir FitzRoy Kelly) who was the earnest advocate of the claims of Azeem Jah, but who, of course, would not consent to throw his shield over any improper practices. The other Members of the Committee took great pains to perform their duty, and as they found that Mitchell was only trifling and fencing with them, and feeling satisfied that they had ample and sufficient evidence, they closed their proceedings, and presented the results of their inquiry to the House. It was now for the House to consider what its duty was, comparing the points upon which there were doubts with those parts of the case which were undoubtedly proved. Mr. Mitchell, who from his antecedents as a servant of that House, was well acquainted with its practices and proceedings in the matter of petitions, undertook, for pay, the getting up of a considerable number of petitions concerning the case of Azeem Jah. That there had been systematic fraud and forgery in the getting up of those petitions was proved beyond all doubt. Many persons proved that their names had been forged, and at the last inquiry Mr. Mitchell cited four persons, who were not involved in the charges, to support his statements. Those persons, however, all proved that their names had been forged; and although it was not proved who was the forger, yet, as the petitions came through Mr. Mitchell and his associates, Marshall and Whitehead, if they were not parties to the systematic and audacious fraud, Mitchell might have assisted the Committee in finding out the agents who had deceived him. There was also a Mr. Graham, at whose office Mitchell had been in the habit of calling, who declared that his signature had been forged. He was examined in the absence of Mitchell in the first instance; but upon the last inquiry the two were confronted, and Mr. Graham again stated, and professed his readiness to swear in a court of justice, that he had not signed his name to the petition, and that he had given no authority to any one to do so for him. Mitchell did not deny that the signature was not Mr. Graham's, but declared that he had authority from that gentleman to sign his name to the petition. The question resolved itself into one of authority; and Mr. Graham, upon the second inquiry, repeated, in a manner which added to his credibility, that he had given no authority. He further said, if he had been asked to sign the petition he would have done so. But, in fact, the parties engaged in these transactions were so reckless that they would not take the trouble of asking persons to sign, even where there was no prospect of refusal. The Committee had unanimously decided that the signature in that case was forged, and he could not see any reason why the House should be dissatisfied with their opinion. The fact that the name of Graham was written by Mitchell was not in controversy, because that it was so was admitted by Mr. Mitchell himself. Other names, too, were proved to be forgeries, because the persons themselves, on being summoned, stated that they had neither signed the petitions nor authorized any one else to sign for them. The question, then, was, by whom were the signatures forged? No doubt Mr. Mitchell brought forward his accomplices to prove that the forged signatures were not in his handwriting; but they did not in any way show by whom they were written, as they might undoubtedly have done if they had chosen. The Committee had, moreover, the evidence of their own eyes, which he believed, in cases of this kind, went further than anything else with Judges and juries. Under these circumstances, he could not see why the House should hesitate to act upon the Report of the Committee. Now, one word as to Mr. Strutt. He had taken a part in this affair, which he (the Attorney General) should be very sorry to speak of with approbation; and, indeed, he was not quite sure whether he had not committed a breach of the privileges of the House, but he thought that the Committee had taken the safer course in holding that no actual breach of privilege had been proved against him. It seemed that he had written a letter expressing his doubt of the genuineness of these petitions which he afterwards presented; and no doubt his conduct was highly censurable. The guilt or innocence of Mitchell, however, was not at all involved in the case of Mr. Strutt; it was not pretended that Mr. Strutt forged the petitions or had any control over them after they were in Mitchell's hands. On the first occasion Mitchell cross-examined Strutt; but on the second occasion he said that he did not want to trouble him to come. [Mr. HENNESSY: Subsequently he asked for his attendance.] He said he wanted to ask him a question, but the question could not have had anything to do with his defence, or he would not have stated before, that he did not want to trouble him to come. He could not, therefore, see any reason why the House should refuse to act upon the Report of the Committee.

MR. COX was anxious to say that each Member of the Committee had been most desirous to do justice to all the persons involved in the inquiry, and if he had had the misfortune to differ with the rest of the Committee, it was not because they were less anxious than himself to arrive at a proper decision. There could not be the slightest doubt that many of the signatures attached to the petitions were forgeries, but that fact in itself would not be sufficient to convict a man in a Court of Justice. For that reason he had thought it his duty to move in the Committee the Resolution referred to by the hon. Member for the King's County. There was, undoubtedly, strong *primâ facie* evidence to show that one or other of the parties concerned forged signatures to the petitions, and the only question was as to who was guilty. When the Committee made their first Report he was inclined to believe in the guilt of George Morris Mitchell; but as they proceeded with the evidence he came to believe that Mr. Powell Marshall had, more probably, committed the forgeries. The writing of both those persons was so much alike that it was impossible to perceive any difference in them. Mr. Netherclift himself had to acknowledge that he had made a mistake upon this point. The handwritings having so much resemblance Mr. Netherclift picked out signatures which, in his judgment, he said, were written by Mr. Mitchell. In that opinion he did not concur, for he thought that they were written by Mr. Marshall, and therefore, feeling himself in the position of a juryman, he could not concur in convicting Mitchell. He believed it would be better if in cases of this kind the House would not constitute itself into a Court of Justice and send a man to Newgate, where he might be kept four or five weeks, but would commit him for trial to the Old Bailey, where if forgery were proved, he would receive a lengthened imprisonment, which he would have richly deserved. It was clearly proved before the Committee that these petitions were delivered in blank to those persons in the commencement of the month of January, and that they remained in their possession only two or three days. After the signatures had been attached to them they were delivered to Mr. Strutt. The petitions were not given to Members for presentation till the beginning of March. Would any jury convict of forgery where the document had been three months out of the possession of the party charged, where there was no evidence to show how many signatures were attached to the petition when it left his hands, and how many it bore when placed by Strutt in the hands of Members?

SIR JAMES FERGUSSON: There was evidence as to the number of signatures paid for.

MR. COX: But there was no evidence to show the exact number the petitions bore. Two petitions were divided into three. The Attorney General laid great stress on the case of Graham, who stated that he had neither signed the petition nor authorized his signature to be appended. But another witness called to corroborate that statement gave his evidence in a manner which satisfied his (Mr. Cox's) mind that authority had been given for Graham's name to be signed, although he had forgotten all about it. He would not, by a Resolution of that House, deprive a man of his liberty when a jury would certainly not return a verdict of guilty against him. He did not think that either a Committee upstairs or the Bar of that House was the proper place to try a man for forgery. In his view there was sufficient *primâ facie* proof against these men to induce the House to send them for trial before a jury, and, if they were found guilty, adequate punishment would be awarded to them; but if they were guilty, and the House sent them to Newgate for four or five weeks, would that be a punishment commensurate with their offence, or befitting the dignity of that House?

SIR JAMES FERGUSSON said, that having served upon this Committee from the commencement, he must say that he thought that no Member of it considered the duty of attending a welcome one. The inquiry was extremely tedious and difficult, and one which no one would go through but from a sense of duty. The Members of the Committee had done their duty to the best of their ability, and he was only sorry some Gentlemen were not satisfied with the result. No one could accuse the hon.

Member for Finsbury (Mr. Cox) of unfairness in what he had said in the Committee; but it was to be regretted that he could not bring his mind to a conclusion which had proved irresistible to every other Member of the Committee, including the hon. and learned Member for East Suffolk (Sir FitzRoy Kelly) who had had so much experience in legal proceedings. The hon. Member (Mr. Cox), however, was not present during all the time, and the rest of the Committee could not get him to fix his attention sufficiently on the signatures and to examine them for himself. Nothing more was necessary to convince any one than to look closely at the petitions—all other evidence might have been dispensed with—but the hon. Gentleman was by no means disposed to apply that test. The fact that some questions had not been allowed to be put arose from this, that the Committee were anxious that the parties should not criminate themselves. He had great respect for the industry and ability of the hon. and learned Member for the King's County (Mr. Hennessy), but he must say that in this matter he had not acted fairly towards the Committee nor judiciously with respect to his duty in that House. The hon. Member on the first occasion attended off and on; but when the Committee reassembled he declined to attend; and surely it was neither fair nor usual for an hon. Member who had abstained from attending a Committee of which he was a Member, afterwards, when the Report was brought up, to attack it. The hon. Member had attempted to show that Strutt was equally guilty with Mitchell; there was nothing which could lead the Committee to think so, unless his conduct in hawking about the paper to procure petitions. But the hon. Member for Finsbury (Mr. Cox) said that Strutt was responsible for these petitions; though the fact was that Strutt declined to have anything to do with them, because he saw the signatures to be fictitious, and Mitchell sent them, with a note in his own handwriting, to Members to present them. When Strutt was before the Committee he was not as a witness against Mitchell, but was called for the purpose of showing that Westley Richards was not a sub-agent, and Mitchell declined to have Strutt called. No evidence affecting Mitchell was taken behind his back since the Committee resumed its inquiry. It was said that some Members of the Committee assumed Mitchell's guilt; but the hon. Member for the King's County (Mr. Hennessy) ought to refer to the part of the evidence in which that appeared. However, he (Sir James Fergusson) had reasons before to complain of the hon. Member for not giving the true substance of the references which he made. In no Court of Justice would Mitchell have had the same opportunities for making his defence as he had on the Committee. There were repeated meetings to allow him to produce any one he named as a witness, and that he might not have a shadow of an allegation that he was not given every opportunity. The entire case would have been a trumpery one if the privileges of the House were not concerned in it; but, as a Member of the Committee, he had not the smallest doubt that justice had been done.

Mr. BENTINCK regretted that the subject did not attract more attention, and was not discussed with fuller benches. From what he had heard of it he ventured to suggest that there were two morals to be drawn from it. The first was the uncertainty which existed in respect of the petitions. In this instance the fictitious signatures had been discovered; but he ventured to think that this was the exception, and that, in ninety-nine cases out of 100, fictitious signatures to petitions were not discovered. That moral might be drawn in connection with the practice of inundating the House of Commons with petitions. Another and more important moral was to be drawn from the manner in which the House dealt with such questions as this. It appeared to him that the Committee had pursued a course which was not uncommon in that House — they had dealt with the small fry and allowed the big fish to escape. His hon. Friend (Sir James Fergusson) had told them that there was nothing to implicate Mr. Strutt with misdeeds or immoral practices. According to his hon. Friend, there was nothing in that gentleman's conduct which the Committee had been called upon to investigate. Now, he had taken the trouble to refer to the Order of Reference, from which it appeared that it had been quite within the province of the Committee to deal with Mr. Strutt's proceedings. The reference was—

> "That a Select Committee be appointed to inquire into the circumstances under which, and the parties by whom, the signatures were annexed to the petitions relating to the case of Prince Azeem Jah during the present Session."

The order did not say a word about "fictitious signatures." It was one directing the Committee to inquire into the circumstances under which the signatures had been obtained. Well, it had come out that Mr. Strutt had obtained signatures at 1*d.* a head; and he put it to the House whether, virtually, there was much difference between forging names to a petition and procuring them at 1*d.* a head. Why, when the Committee were dealing with Mitchell did they not deal with Strutt? [Mr. CHARLES FORSTER: We censured him.] Oh! they drew a distinction between the man who forged names and the man who paid a penny a head for them. No doubt the Committee were right; but he confessed that his powers of discrimination were not equal to drawing such a distinction. He must say he thought the proceedings of the Committee were characterized by a want of energy and determination. The hon. Member for Finsbury told them that, as a Member of the Committee, he had felt he was acting as a juryman; and the Attorney General said the Committee had occupied the position of both Judge and jury. It was to be remembered that jurymen were sworn. What did a Judge of one of our courts do before submitting a case to the jury? In the first place he took care that the examination was conducted according to the laws of evidence, and did not permit that kind of desultory cross-questioning which took place before a Committee; and he also took care that the prisoner had the full benefit of counsel and of every available means for his defence. Now, he had it on the high authority of the hon. Member for the King's County (Mr. Hennessy) that Mr. Mitchell at the last stage of the proceedings appealed to the Committee to be allowed to cross-examine Mr. Strutt, who might fairly be looked upon as standing in the position of an accomplice. A Court of Justice would either have given Mr. Mitchell an opportunity of cross-examining Mr. Strutt, or would probably have placed him at the Bar, instead of in the witness-box. But the Committee did neither the one nor the other. They neither allowed Mr. Mitchell to cross-examine Mr. Strutt, nor did they —as they were bound to do by the Order of Reference — inquire into Mr. Strutt's conduct as to the mode of obtaining signatures. All that he wanted—and he believed the feeling was one in which every Englishman would join — was that they should have a certainty that the man who was about to be punished had been found guilty upon sufficient evidence, and that that evidence had been given before a competent tribunal. He contended that neither the tribunal nor the evidence was what it ought to have been, and that the system of cross-examining before Committees reduced the whole thing to a broad farce, and took away all semblance of a Court of Justice. They were about to condemn a man to imprisonment upon evidence not taken upon oath; and if it should come out hereafter that that evidence was untrue, or that direct falsehoods had been asserted, what would be their position? They would have no means of punishing those on whose false evidence they had condemned a man to durance for so many weeks. Was that, he would not say a legal, but a rational mode of proceeding? It might have been sanctioned by the long usage of that House, but it was, nevertheless, at direct variance with justice and common sense. But he maintained, further, that such a course of proceeding would prejudice the position and reputation of the House in the eyes of the country; for, assuming that they consigned a man to durance on a criminal charge, and it subsequently appeared that he had been condemned upon false evidence, they must either admit they had been guilty of an act of gross injustice, or that their whole system was founded upon error. A good many years ago he had the honour to be a Member of what was called a Privilege Committee, which was nominated in consequence of an article that appeared in *The Times* newspaper. That article reflected in the strongest possible manner upon the character of gentlemen belonging to the sister country — not individually, but collectively. He did not now remember the exact words; but if he had known that that debate was coming on he would have taken care to have had the Report of that Committee in his hand, as he thought it would have strongly supported the view he was attempting to enforce. However, the result of that Committee, which consisted of some twelve or thirteen Members, was that the statement made in *The Times* was held to be a breach of privilege against that House, as impugning the character of a large number of its Members connected with Ireland, and asserting that they were all corrupt. The charges then investigated turned in many cases upon facts with respect to which they had only answers of "Yes" and "No" for many weeks; and the result was that upon both sides they had pretty nearly the same number of witnesses, the one set declaring a thing was black, and the other that it was white. It was in human nature that if there were not certain penalties before men's minds when giving evidence in these cases they would be drawn into a process of evasion, even though they might have no wilful intention to create a false impression.

Mr. BONHAM-CARTER, as a Member of the Committee, said, that no doubt there was great difficulty in conducting an investigation of that kind in a Committee exactly as a case would be conducted in a Court of Law ; but the Committee had desired to give the fairest trial to those who came before them in the character of accused persons, and no bench of magistrates could have taken more care than they had shown in order that there should be nothing done to prejudice the prisoners. The hon. Member for the King's County (Mr. Hennessy) had stated that Mr. Netherclift, the expert, felt himself puzzled; but why ? It turned out that Mitchell employed Marshall to draw cheques in his name and sign receipts for him, and there were certain signatures about which it was difficult to say who was the writer. But there were hundreds of signatures as to which there was not the slightest doubt, and could not be, and which were the signatures of Mitchell and Marshall. He entirely agreed in the remarks made by the hon. Member for Ayr (Sir James Fergusson) with regard to the hon. Member for the King's County. The latter hon. Gentleman had commenced by attacking the Committee on Petitions ; but if he had only attended a judicial Committee, as he ought to have done, from the beginning to the end, he might at any part of the examination have made the proposals which now came too late from him. Mitchell was told, on the very first day of the proceedings before the Committee, that he might hand in a list of the witnesses he desired should be produced, that he was at liberty to adduce any evidence he might think proper in his own defence, but he declined to avail himself of that permission.

Motion *agreed to.*

On Question, that Mr. Speaker do issue his warrant for the committal of George Morris Mitchell to Newgate,

Mr. HENNESSY said, the hon. and gallant Member near him (Sir James Fergusson) had indulged in some personal remarks upon his conduct ; but he should not occupy the time of the House by answering them. Notwithstanding the hon. and gallant Member had boasted of his knowledge of law acquired by serving on courts martial, he had put two most improper questions to Mr. Strutt during that person's examination. The questions were in reference to the assumed identity of Mitchell's handwriting with the signatures, and were leading questions strongly tending to extract replies likely to criminate Mitchell. What would be the opinion of the country upon this subject when it heard that the House was going to send a man to gaol upon insufficient evidence? When a somewhat similar case occurred a few years back the person committed to gaol applied for a writ of *habeas corpus*, and, on the question being argued, Lord Chief Justice Campbell said that the House of Commons was guilty of a gross injustice and a violation of the liberty of the subject when it committed a man to prison, as a writ of *habeas corpus* was of no avail in such a case. Therefore the House should be careful not to exercise its power of imprisonment except upon the most undoubted proof of the guilt of the accused person. The Attorney General had likened the Committee to a jury ; but the jury in this case had not arrived at a unanimous decision, as two of the Members had entirely dissented from the verdict of the majority. In fact, the whole proceeding was contrary to the spirit of the law, and was not likely to meet with the approval or the respect of the country. It would have been far better if the Committee had made a Report to the House on the subject, and that then the House had instituted an inquiry into the conduct of every person implicated in the transaction. When he heard that the matter was to be sent back to the Committee for re-consideration, he declined to serve any longer upon it, as he felt sure that the decision was already determined upon. The real delinquent, Mr. Strutt, had escaped scot free, while the unfortunate man Mitchell had been selected as the scapegoat.

Sir JAMES FERGUSSON said, the hon. and learned Gentleman had not quoted his remarks fairly. He did not say that he was a master of the law of evidence, but said he had done his best to make himself master of the facts. The hon. and learned Gentleman had committed another mistake in having said that Mr. Strutt had uttered the petitions knowing them to be forged. Now, the evidence showed that the officials had received them from the hands of Mitchell himself. The hon. Member for Norfolk admitted that he had not read the evidence. The hon. and learned Member for the King's County said that two Members of the Committee differed from the others, but only one of them had heard the evidence.

MR. BENTINCK said, the hon. Baronet had construed his admission that he had not heard the evidence into an admission that he was not qualified to give an opinion. What he meant to say was, that if he had read the evidence he should probably have had more to say on the subject. What he contended was, that the proceedings of the Committee were of a most desultory and illegal character. The proceedings of all Committees of the House were of that character. He must enter his strong protest, as a Member of that House, against such an act as they were about to perpetrate—that of consigning a man to prison on evidence not sworn, and on proceedings so irregular and at variance with the practice of the Courts of Justice. If his hon. and learned Friend (Mr. Hennessy) divided, as a protest against such a national scandal, he should go into the lobby with him.

THE ATTORNEY GENERAL said, he could not allow to pass unnoticed the very extraordinary language which the House had just heard. The hon. Member's views of law were very extraordinary, if he imagined that the privileges of that branch of the Legislature were not as well established by the law of the land as any other right in the country. It was the law of the land which said that that House had privileges, and the House had its own customary methods of investigating questions which concerned its own duties, in support of its authority, even to the extent of interfering with the liberty of the subject. The custom or law of Parliament was as much law as any other part, even the most sacred part, of the law of the land.

Motion made, and Question put, "That George Morris Mitchell be, for his said offence, committed to Her Majesty's Gaol of Newgate; and that Mr. Speaker do issue his Warrants accordingly."

The House *divided*:—Ayes 41; Noes 7: Majority 34.

MR. CHARLES FORSTER then moved that Powell. Marshall, having been concerned with George Morris Mitchell in fabricating signatures to petitions, had been guilty of a contempt and breach of the privileges of the House, and that he be committed to the custody of the Sergeant at Arms.

MR. HENNESSY said, that when the hon. Member rose he thought he was going to move that the men whom they tried behind their backs and convicted behind their backs should be hung. The Attorney General might say this was legal; but was it just? These two persons were tried and convicted by a majority of the Committee, and they were now to be taken into custody. He should like to know if they were to be committed to Newgate. These men had been tried privately; the public and the press were not admitted. They were frequently compelled to leave the room, and were condemned without being heard. He considered the whole proceedings discreditable to Parliament and to the country.

MR. COX said, he had voted with the minority in the Committee on all occasions, because he did not feel in his conscience that evidence was produced to enable him to find a verdict of guilty against these persons. It was now proposed that one of them should be committed to the custody of the Sergeant at Arms—which meant that he was to be kept, boarded, and lodged for the remainder of the Session at the expense of the country, and yet he believed that that one was far more guilty than the man who had already been condemned. These proceedings would not tend to elevate the character of the House, for this House was dealing with men so poor that they had not the means of bringing before the Committee either solicitor or counsel for their defence. These persons were not present during the inquiry into their conduct, there was nothing proved against them, and now they were ordered to be taken into custody. He maintained that the House had no more right than any other Court of Law to inflict punishment until guilt was properly proved, and where there was a doubt the prisoners ought to have the benefit of it.

MR. AYRTON wished the Chairman of the Committee to explain clearly and distinctly the relative degree of guilt of these parties. He did not intend to vote on the question, and thought the Government ought to enjoy the honour and privilege of sending these men to prison. He trusted the rest of the House would take no part in it.

MR. CHARLES FORSTER said, the Committee regarded Mitchell as the chief offender, and the others as acting under his direction. As to the statement that they were directed to leave the room, they had the fullest opportunity of examining the witnesses and putting any questions to them that they might think desirable.

MR. DIGBY SEYMOUR said, the hon. Member had not answered the question asked. He had been asked to state distinctly the difference between the assumed guilt of the two men. In his opinion this proceeding was most discreditable ; a private tribunal was opposed to all the principles of English justice, and any man who was tried behind his back should have his sympathy ; and he could not understand why, having vindicated the dignity of the House with regard to one supposed offender, they should think it necessary to sacrifice these two also. The hon. Member for the Tower Hamlets was, in his opinion, entitled to a distinct answer to his question—upon what grounds the Chairman of the Committee drew a distinction between the person who was to be committed to Newgate and those who were to be consigned to the custody of the Sergeant at Arms.

MR. CHARLES FORSTER said, that he had already stated most distinctly that the Committee were of opinion that Mitchell was the principal offender, and that the others acted under his instructions.

Motion made, and Question put,

"That Powell Marshall and Henry Whitehead, having, in consort with George Morris Mitchell, fabricated signatures to several Petitions presented to this House, have been guilty of Contempt and a Breach of the Privileges of this House."—(*Mr. Charles Forster.*)

The House *divided* :—Ayes 39 ; Noes 5 : Majority 34.

MR. HENNESSY wanted to know what was to be done with the men when they were committed to the custody of the Sergeant at Arms. A precisely similar punishment had been some years ago inflicted, by order of the House, upon Mr. Strutt, who had been committed to the custody of the Sergeant at Arms for forging signatures to a petition. That was the first offence of that man ; and when he committed a second offence he was let off without any punishment.

MR. CHARLES FORSTER observed, that it depended upon the discretion of the House how long the men would be kept in custody.

SIR GEORGE GREY said, that this was the mildest form of proceeding that the House could adopt. If these persons admitted their offence and petitioned the House for their release, the House would no doubt not be indisposed to give, according to its usual practice, a merciful consideration to their petition. If, however, they asserted that they had committed no offence against the privileges of the House, and set themselves in opposition to it, they would remain in custody.

Ordered, That the said Powell Marshall and Henry Whitehead be, for their said offence, severally committed to the custody of the Serjeant at Arms attending this House ; and that Mr. Speaker do issue his Warrants accordingly.—(*Mr. Charles Forster.*)

SUPPLY—CIVIL SERVICE ESTIMATES.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SUPPLY *considered* in Committee : — CIVIL SERVICE ESTIMATES — CLASS IV.— EDUCATION, SCIENCE, AND ART.

(In the Committee.)

(1.) £235,583, to complete the sum for Public Education, Ireland.

SIR ROBERT PEEL : Sir, with the permission of the Committee, I will, as usual, state what are the main features of the Vote for which they are now asked. I am happy to be able to state that, although there is an increase in its amount over that of last year, that has arisen from an extension of the system in Ireland and an increase of the number of children who are availing themselves of its advantages. The Vote exceeds that of last year by £8,313; but there are now in Ireland 100 more national schools than there were then, and the number of teachers has proportionately increased. If I review the history of national education in Ireland since the year 1834, in three decennial periods ending 1844, 1854, and 1864, the House will see what is the progress which has been made. In 1834 the number of schools under the national system was 1,106, and the number of pupils upon their rolls 145,521. In the first decennial period from that date—namely, up to 1844 —the number of those schools increased to 3,153, and the number of pupils on the rolls to 395,558. In the decennial period ending 1854 the number of schools rose to 5,178, and the number of pupils to 555,110; while in the last decennial period, from 1854 to 1864, the increase was still more remarkable, the number of schools having risen to 6,263, and the number of pupils to 870,401. It was evident, therefore, that in Ireland the population have availed themselves in an increasing proportion of the present system; and this remark applies not only to the Protestant and Presbyterian portion of it, but also, I am happy to say, to the Roman Catholic. To show to what an extent Roman Catholic children have availed themselves of the advantages of those institutions, I may mention that while in 1861 the Roman Catholic population amounted to 77½ per cent of the total population of Ireland, the Roman Catholic children attending the national schools amounted to 81½ per cent of the total number of pupils, or 4 per cent over and above the relative percentage of the entire population. We have, in the present year, an increase in several of the items in this Vote. As the Committee will observe by a reference to the tables before us, the general summary of the system of national education falls under ten distinct heads, six of which show an increase. There is an increase under the head of District Model Schools amounting to £917. We propose to open in the course of the present year a beautiful model school in Cork, which is just now on the point of being completed. That in Enniskillen was opened last year; in reference to the Cork model school I received a letter today, in answer to a request for information on the subject, to the effect that there was some little delay as to the time of opening, but that the school would be handed over to the Commissioners of education next July. The increase under the head of District Model Schools is for the purpose of opening that establishment, and I trust the population of the important city of Cork will avail themselves of the benefits which it is calculated to confer, as is done in the case of similar schools in other parts of Ireland. This establishment is designed for the accommodation of 400 boys, 250 girls, and 150 infants; in all 800 pupils. The Commissioners state that if it is successful to the extent which they anticipate a very considerable staff of teachers will be required. The staff proposed to be employed will consist of three principal and three assistant teachers, twelve pupil-teachers, and twelve monitors. Thus much for the causes of the increase under the head of District Model Schools. Under the head of Minor Model Schools the increase is £417. These schools are very numerously attended in different parts of Ireland, and the growing desire of the population to avail themselves of them, and the consequent necessity of having a greater amount of accommodation, is another reason why this Vote is increased. There are seven of these Minor Model Schools in Ireland—the total number of Model Schools being twenty-six—exclusive of those in Dublin; and in those seven schools we find that there were on the rolls, in 1864, 1,642 pupils, whereas in 1863 the number was 1484, and in 1862 only 1,230—thus showng a very satisfactory increase in the attendance. I now come to the salaries of the teachers which, as the Committee will observe, embrace one of the principal items of increase in this Vote—the increase being £10,000. That increase is accounted for in the following way:—Increase in the salaries of teachers, £7,000; of monitors, £2,500; in the charge for singing and drawing, £300; other items, £200—making a total of £10,000. It will be in the recollection of the Committee that last year an animated discussion took place on the subject of monitors. I have no wish now to renew that discussion beyond remarking that the result of the decision then arrived at has been such as fully to answer our expectations. As the Committee is aware, from the year 1845, when monitors were first instituted, up to 1864, no question was raised in Parliament with regard to the monitorial system. Last year, however, the hon. and learned Member for Belfast (Sir Hugh Cairns), brought forward the subject in connection with the employment of first-class monitors in certain schools, and I have here a Return moved for by the hon. and learned Gentleman who found fault with the system the Commissioners were establishing. This Return shows how the sum of £3,000 for this purpose had been laid out; and I must say that I think it has been most fairly distributed. The hon. and learned Gentleman was of opinion that these first-class monitors would be given exclusively to what may be called denominational schools; but, according to the Return, it appears that out of 124 only 57 of those monitors have gone to those excellent convent schools which exist throughout the country. It cannot, I think, be denied, that it is a great advantage to those schools to have the services of first-class monitors in instructing the children, who crowd to them in large numbers; and having looked through the Reports of the Inspectors, I find that all of them, Presbyterians, Protestants, and Roman Catholics, with scarcely an exception, bear testimony to the admirable management of the schools under the control of religious persons. The system having worked so advantageously, the Commissioners now ask for an additional sum of £2,500 with a view to its further extension; and I am sure the Committee will not refuse that sum for the development of the monitorial system, which never until last year was contested in Parliament. I now come to another item in this Vote, in reference to which I wish to offer a few remarks. There is, I regret to say, a reduction in the Vote for the Agricultural Department again this year, to the extent of £224, and I use the word "regret" because it has been always against my wish, and solely in accordance with the desire of Parliament, that, year by year, for the last four years, I have been obliged to urge the Commissioners to reduce this Vote. The Vote includes what is called the Glasnevin School, which has done an immense amount of good. We have used the utmost economy in the maintenance of that establishment, and since I last addressed the House on this subject, the respected chief manager of the institution, Dr. Fitzpatrick, has been obliged to retire. In the Agricultural Vote he hoped there would be no more reduction. Within the last eight years it had been reduced from a sum little short of £10,000 to its present limit of £5,000; that reduction had been contrary to the wish of the Members of the Irish Government, and he hoped the Committee would set their face against any further proposals in a similar direction. In the present state of the House (a very few Members were present), it was unnecessary to make any lengthened statement. He would merely add that the Returns, undoubtedly of much value, obtained last year on the Motion of the hon. Member for Longford (Mr. O'Reilly), had cost the country upwards of £400, owing to the number of additional clerks who had to be employed to prepare them.

Mr. MONSELL admitted that the Agricultural Department, properly carried on—and he admitted that the Glasnevin School was well managed—was calculated to confer great benefits on the country. But it was notorious that the minor agricultural schools were complete failures throughout Ireland, and all the Commissioners to whom he had spoken agreed that the sooner they were got rid of the better. The Glasnevin Schools, on the contrary, ought to be fostered and encouraged, and he should like to see an acre of ground added, wherever this was practicable, to every ordinary school, in which the elder pupils might receive a certain amount of agricultural instruction from the master. As regarded the proportion paid to monitors in certain schools, it would be desirable to receive a little further explanation from the right hon. Baronet.

Lord FERMOY said, he rejoiced to hear that the national education system was bearing good fruit in Ireland. As to the agricultural Votes, it was his experience in Ireland that any agriculturists who were particularly well trained had received their education at Glasnevin. He did not desire, however, to see the district agricultural schools superseded, for he believed that what was good for the metropolis would in time prove to be good for the provinces also. As regarded the suggestion that agricultural training should form a part of the education given in every school, he hardly expected much benefit from it practically, seeing that it was easier to be a good schoolmaster than a good agriculturist, and the combination of these qualities would be rare indeed. The national system of education in Ireland was very good. The excellent character of the education given in the humbler schools was a just source of pride at this moment to Irishmen, but he believed one fact lying at the bottom of much of the emigration constantly going forward was that the people were educated somewhat above their class. The natural result was that they endeavoured to better their condition by going to countries more wealthy and prosperous. He was not one of those who considered emigration such a serious evil to Ireland. Education, however, was attended with other effects, for it had materially increased the tranquillity of the country, and nearly put an end to those agrarian outrages which once were the national disgrace. Faction fighting, also, and other practices only found in countries occupying a low position in the scale of enlightenment, were disappearing. He looked, therefore, on the excellent education which the Irish people were now receiving, coupled with their natural readiness to avail themselves of all advantages, as one of the most hopeful features in connection with that nation.

Mr. LEFROY said, he did not desire to oppose the grant to the National Board in the present state of the House. It would not be denied that a Board presided over by Commissioners of high rank and position and administering funds to the amount of £325,000 a year conferred a great amount of good upon the country. Yet he, and those who thought with him, had some reason to complain that a favour was granted to one portion of the population which was denied to another. The Protestant clergy of Ireland were not able, on conscientious grounds, to partake of this grant, and he concurred in their objection. They were bound to instruct their flocks in the Holy Scriptures, and many of them, being men of straitened means, deprived themselves of the comforts of life to support their schools, which ought to receive a portion of this grant. The Protestants of Ireland could not accede to the present system, and the House ought to make such changes as would enable them to participate in the grant. He could not concur in the grant of £2,000 to the teachers in convent schools. In the county of Cork there were nineteen of these convent schools which were receiving that favour from the State which was denied to others on the ground of peculiar teaching. The Return moved for by the hon. and learned Member for Belfast, which had been laid upon the table within the last few days, showing the distribution of the £2,000, gave him reason to feel that the apprehension of his hon. and learned Friend with regard to its distribution was correct. One of the Commissioners (he did not know whether he was a Commissioner at the present moment) was strongly opposed to the transfer of popular education to monastic teachers, and another high authority, Mr. Sheridan, stated that in the Killarney district no day school by lay teachers would be tolerated. It happened, however, that a considerable number of Roman Catholics could not be induced to send their children to convent schools, and when the lay schools were abolished they could get no education at all.

The O'CONOR DON said, he did not intend to offer any opposition to the Vote, though he could not admit that the increase in the number of pupils was to be accepted as a proof of the success of the system. It might be accounted for by the fact that the Irish people had no other schools. He was convinced he spoke the opinion of the great majority of the people of Ireland when he said that they were not entirely satisfied with the system. He should not say that he was satisfied that the grant had been increased for the higher class education, because he could not concur in the opinion that it was the duty of the State to provide for the people anything more than an elementary education, or to give an education to those who were able to pay for it for themselves. The increase in the Vote which had been referred to was principally due to the model schools; but he understood that a guarantee had been given by the right hon. Baronet last year that there should be no increase in the grant to these schools. The hon. Gentleman opposite (Mr. Lefroy) had quoted Mr. Sheridan's authority against the convent schools; but it had been clearly proved in the debate last year that Mr. Sheridan had been under a mistake when he reported, for he admitted that he made his Report without having inspected the schools, and the sub-Inspector who had really inspected them had reported that Killarney possessed ample educational facilities.

Mr. HENNESSY agreed with his hon. Friend the Member for Dublin University (Mr. Lefroy) in thinking it a great hardship that the schools connected with the Church Education Society, in which the Bible was taught, should receive no grant. The late Mr. O'Connell subscribed largely to one of the schools of the Society in his neighbourhood, and continued to do so even after the Government grant had been withdrawn. But would his hon. Friend agree with him in thinking that it was a hardship that the schools of the Christian Brothers should receive no grant? Ireland ought to be treated like England, where grants were given to the denominational schools. When the clergy of the Established Church in Ireland and the Catholic clergy were both opposed to the present system, it was strange that Government should take no steps to meet the wishes of those two great bodies. With regard to the convent schools, it had been reported by the Inspectors, many of whom were Protestants, that they were the best in Ireland, and that circumstance was owing to the superior manners and education of the ladies who conducted them. The people of Ireland preferred to send their children to the convent schools because they believed them to be denominational. The best schools in Ireland were the schools of the Church Education Society, of the Society of Friends, and of the Christian Brothers.

Mr. DAWSON thought it would be a most unfortunate thing for Ireland if these grants became denominational. Such a change would destroy the whole system of education in Ireland—a system which was gaining on the confidence and affection of the people, and which was likely to be of great advantage to the country. He trusted it would go forth that there was in this House a general concurrence as to the value of the existing system, and that the wish to disturb it was only shared by a small minority.

Mr. WHITESIDE said, the convent schools were popular because they contradicted in the most positive and express manner the principles on which the National Board was founded. That principle was to assist schools in which persons of all religions should be taught. This sounded well; but the result of it would be to exclude the religious element from education altogether, which was an impossibility. The convent schools were frequented, as the hon. Member (Mr. Hennessy) had said, because everybody knew that religion was taught there. Having assisted the convent schools, how could the Government justify the refusal even of a book to the parochial schools in Ireland connected with the Church? It was an absolute impossibility to continue the system upon the principle on which it now was said to rest. The English system would be a much more honest and satisfactory one. It was a peculiarity of the National Board that they never reasoned. Archbishop Whately tried to reason with them; but he failed and retired. He belonged to a society in the schools connected with which—perhaps he ought to be ashamed to mention it in this assembly—they were so imprudent as to allow the reading of the New Testament. This fact ruined their character with the National Board; and the consequence was that there were 1,500 or 1,600 schools which got no assistance from the State. Anything more ridiculous he could not imagine. The National Board said, "It is impossible to aid you; we act on principle in refusing aid in such cases." And yet aid was given to the conventual and monastic schools, while it was refused to the parochial schools of the Church. The Secretary for the Colonies was a sagacious, intelligent gentleman, and if he had the charge of this question and had five minutes' conversation respecting it with him (Mr. Whiteside) it would be settled in five minutes. In speaking of these denominational schools, he did not say that the State should give money without receiving value for it; there should be a certain standard of information in the schools which they assisted. But what he contended for was that if Parliament obtained what it wanted—namely, a certain amount of secular education—it ought not to refuse to those who contribute to the taxation of the country a fair share of the public funds for promoting the education of the people. By denominational schools he meant schools in which the State should receive full value for their money grants. As to the model schools, he believed they were excellent; but what was the state of affairs respecting them? He had looked into one which cost £1,100 or £1,200 a year, and had found that there was not a single Roman Catholic pupil in the school; while there were a number of persons educated who possessed very good means of their own. The education given was so good that these schools had destroyed the ordinary schools of the country, and persons were sent to them to be educated at the expense of the State who were well able to pay for it themselves. His own opinion of the system was that it could not last. If the Roman Catholics and the Protestants were both serious in the work of education, and if both were attached to their religion—as there could be no doubt they were—why not settle the question, as sensible men, in a manner which would produce the greatest good for the country? He had come to the conclusion that, after maintaining a civil warfare for some twenty years, the upshot of the matter would be that the State would demand a good secular education, proportionate to the money it granted, and would leave religious education to be attended to by the different denominations.

Sir ROBERT PEEL said, he had followed the system now for some years, and was convinced that it had been of immense use to the country. Year after year the number of children attending the schools increased, and that was a proof that the system was making great progress in the country. As to one class only being admitted to the schools—which of course the right hon. Gentleman (Mr. Whiteside) meant was only the Roman Catholics—nothing could be further from the true state of things—the right hon. Gentleman would find by turning to the analysis of the children attending the schools, that whereas in 1861 the Protestants of all denominations in Ireland were 22½ per cent, the number of Protestant children attending the schools was 18 per cent. The right hon. Gentleman said that £2,000 was granted last year for monitors in convent schools; but of the total number of schools that had first class monitors appointed, only fifty-seven were convent schools; and, therefore, it was not true to say that the grant was exclusively to give first class monitors to convent schools. When he spoke last year of the grant to the first-class monitors in convent schools, though he expressed some doubt whether it might not be prejudicial to the general education of the country, he was anxious then to give the system a fair trial. Though the system of education in those schools might be somewhat exclusive, there was no doubt that the education was of a very superior character, and he saw no reason why the system should not receive further expansion. They had accordingly this year taken £2,500 more than last year, in order to give fuller development of the system. He denied altogether that the Board was opposed to the general feeling of the country. It was composed of men of all denominations, and though they might have differences of opinion, they worked harmoniously together and in unison with the feelings of the country. As regarded the question put by his right hon. Friend the Member for Limerick (Mr. Monsell) in reference to the monitorial system, the number of monitors connected with all the schools in Ireland was last year 3,400, and this year 3,600. Last year the grant was £20,000, this year it was £22,500. There was only one monitor to every national school in Ireland, consequently it could not be maintained that the system was not capable of still greater development. As regarded the agricultural schools, there was no doubt that the model farm at Glasnevin had worked a great deal of good, though there might be something wanting in the management of the agricultural schools to which the right hon. Gentleman had referred. A great many of them were let to agriculturists, who paid a certain rent, and who received in addition £30 from the Board for giving agricultural instruction to the boys of the National Schools of the neighbourhood. If any improvement could be made in the system he should be glad to lend a hand. The actual receipts of the Albert Model Farm last year were £1,802 6*s.* 11*d.*, and the probable receipts were estimated this year at £1,700, which was deducted from the amount granted by Parliament; so that he did not agree that this part of the system required revision. Upon the whole he felt justified in saying that the National system had taken deep root in the country—the annual increase in the number of children attending the schools was a proof that the system was working well, and he could not but believe that the spread of education must be effecting the greatest good in all parts of the country.

Mr. MONSELL said, he wished the monitorial system to be extended, but was anxious to know why the money voted by Parliament had not been applied. He denied the accuracy of the statement of the right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside) as to the practice of the National Board and the Church Education Society. The distinction between the National Board and the Church Education Society was that the former did not force any child to receive any religious instruction to which the parent of the child might object. On the other hand, the Church Education Society refused any child the benefit of secular instruction unless that child received their religious instruction, to which the parent might object. There were now 15,000 Roman Catholic children in those schools receiving religious instruction from persons not of their own persuasion. He protested against the introduction of such a system into Ireland. The first principle of any national system of education which would work in Ireland must be to avoid the suspicion of proselytism (to use the expression of Lord Derby), and therefore he protested against the remarks of the right hon. Gentleman.

Mr. WHITESIDE said, the right hon. Gentleman had misunderstood him. He did not argue that the parental authority should be set aside; but contended that those who thought with the right hon. Gentleman defied the parental authority. They called that "liberty" which said "If you agree with us we will give you assistance; if you do not we will give you none." His complaint was that if a parent chose to send his child to a school where the Scriptures were taught no assistance from the State was given. The Church Education Society did not force anybody into its schools, but it announced beforehand that in the schools a portion of the Scriptures were read every day. That was not proselytism. He believed that not one of the 15,000 Roman Catholic children mentioned by the right hon. Gentleman as attending those schools had changed his religion because the Scriptures were read in them.

Mr. CARDWELL said, that the two rules governing the national system in Ireland were plain. One was that in school hours the teaching should be of such a character that all Christians might partake of it; and the other rule was that when religious teaching of a peculiar character was given children whose parents objected should not be compelled to attend. If the schools to which the right hon. Gentleman opposite (Mr. Whiteside) had referred would conform to those simple rules they could receive the benefits of the public grant, but, if they did not, then no amount of eloquence or mystification would entitle them to those advantages.

The O'DONOGHUE thought the best way to prevent proselytism would be to introduce the denominational system into Ireland. The national system was calculated to make people believe that religion was a secondary consideration.

Vote *agreed to.*

(2.) £730, Commissioners of Education (Office Expenses), Ireland.

(3.) £6,773, to complete the sum for University of London.

(4.) £14,485, to complete the sum for Universities, &c. in Scotland.

(5.) £2,372, Queen's University in Ireland.

(6.) £3,150, to complete the sum for Queen's Colleges, Ireland.

(7.) £700, Royal Irish Academy.

(8.) £3,400, National Gallery of Ireland.

(9.) £1,500, to complete the sum for Belfast Theological Professors, &c.

Motion made, and Question proposed,

> "That a sum, not exceeding £13,336, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1866, for the Expenses of the National Gallery, including the purchase of Pictures."

Mr. CAVENDISH BENTINCK expressed a hope that the Government would not proceed with the Vote at that hour (twelve o'clock).

The CHANCELLOR of the EXCHEQUER said, that Her Majesty's Government had thought it right to give effect to the Vote which the House of Commons had arrived at last year, and they had, therefore, been engaged in framing plans for the enlargement of the National Gallery upon its present site, and the work could be executed from time to time as necessity should arise. The House would have an opportunity of considering the question at the proper time; but the Vote at present before the House was simply for the purchase of pictures and for the ordinary maintenance of the establishment.

Lord JOHN MANNERS hoped some intimation would be given when the Vote would be proposed. The state of the House at the present time warned them that unless the Vote was brought in immediately after the recess there would be little chance of having a House to consider the subject.

The CHANCELLOR of the EXCHEQUER said, the House could not be much worse than at present, but there was a hope that after the Whitsuntide recess it would revive; the Vote would be laid upon the table immediately after the recess.

Mr. HENRY SEYMOUR thought the Vote too important to be at once proceeded with, and he should, therefore, move that the Chairman report Progress.

Motion *agreed to.*

To report Progress.

House *resumed.*

Resolutions to be reported on *Thursday* next.

Committee also report Progress; to sit again on *Thursday* next.

SUPPLY.

Resolutions [June 1] *reported.*

Mr. DILLWYN asked for more information. There was a rumour that, many years ago, the Soulage Collection was purchased but had not been paid for until about a month or three weeks ago. He wished to know whether some portion of this Vote was not interest, and whether the Government wanted to conceal from the House the expenditure the South Kensington Museum cost the country.

Sir GEORGE GREY replied that his right hon. Friend (Mr. Bruce), who could have answered the question, had left the House; but if the hon. Gentleman gave notice in the usual way it would be answered.

Resolutions *agreed to.*

SUGAR DUTIES AND DRAWBACKS.

Resolutions [June 1] *reported.*

Resolutions *agreed to.*

Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. PEEL.

Bill *presented,* and read 1°. [Bill 198.]

LUNATIC ASYLUM ACT (1853), &C. AMENDMENT BILL.

On Motion of Mr. SCOURFIELD, Bill to explain and amend "The Lunatic Asylum Act, 1853," and "The Lunacy Act Amendment Act, 1862," with reference to counties of towns which have courts of quarter sessions, but no recorder, *ordered* to be brought in by Mr. SCOURFIELD and Mr. PUGH.

Bill *presented,* and read 1°. [Bill 196.]

POOR LAW BOARD CONTINUANCE, &C. BILL.

On Motion of Mr. VILLIERS, Bill to continue the Poor Law Board for a limited period, and to make certain amendments in the Law regulating the relief of the poor, *ordered* to be brought in by Mr. VILLIERS and Viscount ENFIELD.

Bill *presented,* and read 1°. [Bill 197.]

House adjourned at a quarter before One o'clock.

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HOUSE OF COMMONS,

Thursday, June 8, 1865.

MINUTES.]—SUPPLY—CIVIL SERVICE ESTIMATES —*considered in Committee.*—CLASSES IV. V. VI. VII.—*Resolutions* [June 2] *reported.*

PUBLIC BILLS — *Resolutions in Committee*—Inland Revenue Acts *reported.**

Ordered—Falmouth Borough *; Penalties Law Amendment *; Ecclesiastical Commission (Superannuation Allowances) *; National Gallery (Dublin).*

First Reading—Falmouth Borough * [200]; Ecclesiastical Commission (Superannuation Allowances* [201]; Penalties Law Amendment * [202]; National Gallery (Dublin) * [203]; War Department Tramway (Devon) * [204] [*Lords*].

Second Reading—Sugar Duties and Drawbacks * [198]; Lunatic Asylum Act (1853) &c. Amendment * [196].

Committee — Greenwich Hospital (*re-comm.*) [179]—R.P.; Defence Act (1860) Amendment * [176]; Pilotage Order Confirmation (No. 2) (*re-comm.*) * [131]; Pier and Harbour Orders Confirmation (*re-comm.*) * [177]; Wick and Ayr Burghs Election * [166]; Trespass (Scotland)* [98].

Report—Defence Act (1860) Amendment * [176]; Pilotage Order Confirmation (No. 2) (*re-comm.*)* [131]; Pier and Harbour Orders Confirmation (*re-comm.*) * [177]; Wick and Ayr Burghs Election* [166]; Trespass (Scotland) * [98].

Considered as amended—Procurators (Scotland)* [157]; Trespass (Scotland) * [98].

Third Reading — Militia Ballots Suspension *; Militia Pay *; Drainage and Improvement of Lands (Ireland) Provisional Order Confirmation (No. 2) * [191]; District Church Tithes * [186] [*Lords*]; Trespass (Scotland) * [98].

The House met at Twelve of the Clock.

ROACH RIVER FISHERY BILL—[*Lords*] (*by Order.*)—SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. HUNT moved, that it be read a second time that day three months. He said, this river was an Essex stream, which gave name to the town of Rochford, and which emptied itself into the Crouch, and which was specially fitted for the propagation of the oyster. The object of this Bill was to hand over to a company the monopoly of fishing in the four miles of water covered by the Roach, to the exclusion of the rights of fishing now enjoyed by the public, and to establish and preserve oyster beds there. The only analogous case that he knew of was the Herne Bay Fishery Bill, but in that case there was not the same encroachment on public rights as there would be here. That Bill, however, was quite of an exceptional character, and there had not been time to test the degree in which it would be advantageous to the public, for the Bill was only passed last year, and a period of three years was required to bring an oyster to perfection. The Deep Sea Fisheries Commission had been appointed to examine into the whole question, and nothing ought to be done until it had made its Report, but when that was done it would be the duty of the Government to introduce a general Bill, laying down the conditions on which monopolies for the supply of fish should be granted. It was said that this Bill was intended to promote the public benefit by enlarging the supply of oysters, but it would not benefit the English public, because the oysters taken from the River Roach had green fins, which caused them to be rejected from the London market, and they were exported to Ostend and Paris. This Bill would also prevent other fish being taken in this river, and seemed to him closely analogous to the taking away of rights of common, and he felt bound to oppose this concession, at all events at the present time.

Amendment proposed to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Hunt.*)

Mr. BRAMSTON said, this Bill had been carefully considered before a Committee of the House of Lords. It was unusual, under such circumstances, to refuse a Bill a second reading. As to these oysters being sent abroad, if they could supply the Parisian market so much the better for those who could rear the supply.

Mr. COX said, the House of Lords could scarcely have had their attention drawn to the fact that the Commissioners of Woods and Forests had sold the company the right of exclusive fishing in the river for £20 per annum, notwithstanding the proprietors higher up the stream had offered £500 per annum for that right.

Colonel SYKES said, he objected to the rights of the public which had been enjoyed for centuries, and which they themselves were not in a position to support, being interfered with in the manner proposed by the Bill.

Mr. WATKIN said, that if the Commissioners of Woods and Forests had power to sell the right of fishing in the stream, the Bill could not interfere with any public rights whatever.

Mr. DODSON said, he hoped the hon. Gentleman would not persevere in his Amendment. The Bill having come down from the other House, he thought the House of Commons would be adopting rather a strong measure in saying that there was no case for inquiry, and refusing to allow the Bill to go before a Select Committee, where both its principle and details would be fully considered.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed.*

MIDDLESEX INDUSTRIAL SCHOOLS BILL.—CONSIDERATION.

Mr. HENNESSY, who had given notice of his intention to move that this Bill should be taken into consideration tomorrow, said, that the measure was in rather a peculiar position. It was a Bill promoted by the Middlesex magistrates to increase their power over industrial schools, and for other objects. The House was of opinion that the Bill was so far a public Bill that it should be referred to a Select Committee partly appointed by the Committee of Selection. That Committee considered the Bill and reported it to the House with Amendments. Among those Amendments were two clauses relating to the religious instruction of the inmates of schools. He found from the evidence of Captain Brooks, an officer of the school, that there were no less than eighty Roman Catholic pupils, who all attended the service and learnt the Catechism of the Established Church; and the Rev. Sidney Turner, the chaplain, expressed it as his opinion that it was highly desirable that these children should have the opportunity of being instructed by a Roman Catholic priest. The Committee appeared to have been of the same opinion, because they inserted in the Bill two clauses providing that the warrant of commitment of a juvenile offender should specify the religious denomination to which he belonged, and that if that was a denomination other than the Church of England the Committee of visitors should allow a minister of such denomination to visit such offender, unless it was objected to by him. Captain Glossop, the chairman of the sub-committee of magistrates, who had charge of the Bill, as the provisions were similar to those introduced into the new Prisons Act, recommended the acceptance of these clauses as concessions which could not be refused; but, unfortunately, a majority of the Middlesex magistrates did not take that view of the matter, and they adopted a resolution — the House of Commons having prescribed conditions in reference to the religious instruction of the inmates—to withdraw the Bill. Accordingly, an hon. Member the other day moved, at the instance of the promoters, to discharge the order for further proceeding with the Bill, but that Motion was very properly negatived. The Bill was now, therefore, deserted by its promoters, and no one was prepared to proceed with it. Under these circumstances, it was his intention to endeavour to pass the Bill through the House, but he had been informed by the Speaker that the adoption of that course would involve the House in some difficulty, and that the better course would be to allow the Bill to drop now, in the hope that there might be some general legislation upon the subject next year. He hoped that the Secretary for the Home Department, with the concurrence of the House generally, would take some steps to bring in a public measure next Session to remedy the grievance of which the Roman Catholics so justly complained in the present instance. In conclusion, he had, simply as a matter of form, to move that the Bill be taken into consideration to-morrow.

Motion made, and Question proposed, "That the Middlesex Industrial Schools Bill, as amended in the Committee, be taken into Consideration To-morrow."—(*Mr. Hennessy.*)

MR. SPEAKER said, he doubted the propriety of the Motion made by the hon. Gentleman, inasmuch as there was a Standing Order of the House to the effect that a Private Bill should not pass a stage unless notice were given by the agent. No such notice had been given, and the hon. Member was therefore, in his opinion, quite right in not pressing his Motion.

SIR GEORGE GREY said, he hoped the Bill would remove the evil of which the Roman Catholics complained, and regretted very much the course the magistrates had taken in abandoning the Bill, because of the very reasonable provision which had been introduced into it with the unanimous concurrence of the Committee. It was not possible to bring in a public measure this Session, but the question was one which he admitted was worthy of consideration.

LORD EDWARD HOWARD said, he wished to express his gratitude to the right hon. Gentleman for the observations which had just fallen from him. The course adopted by his hon. Friend the Member for the King's County was, he thought, the most judicious which, under the circumstances, he could have adopted. The question was one which involved a great hardship, and one which was rather of a public than a private character, inasmuch as it affected the pockets of the ratepayers to the extent of £70,000, that being the sum expended on a school capable of containing 800 boys. It was proved in the evidence taken before the Committee that, although there was a large number of Roman Catholic boys in the schools, they might be taught a catechism of a creed at variance with their own, and that if they refused to learn that catechism they might be punished; while if the parents had the courage to make a report on the subject they were liable to fine. Though the parents might make a special request for the boys to see a Roman Catholic minister they were not allowed to do so, and were obliged to go to the Protestant chapel. Indeed, a great deal might be said on the subject of the Bill; but, as it would have to be sifted at some future time, he would not trespass on the attention of the House by dwelling upon it, beyond observing that it was a grievous thing that the Middlesex magistrates should come to the conclusion to abandon the measure very much on account of the by no means too liberal portion of religious liberty conceded by the Committee upstairs. Nobody, however, could be surprised at the course which they had taken, who recollected how they had acted in the case of the Prison Discipline Bill. He did not wish to characterize such conduct in severe language, but he thought it was a dark and black case, and it appeared to him that the hon. Member for the King's County had done a great good by letting even a small gleam of light into it.

Motion, by leave, *withdrawn.*

AZEEM JAH (SIGNATURES TO PETITIONS.)

MARSHALL AND WHITEHEAD DISCHARGED.

The Serjeant at Arms attending this House informed the House, that in obedience to their Order, and Mr. Speaker's Warrants, he had on Friday last taken into his custody Powell Marshall and Henry Whitehead, but that he had not yet succeeded in apprehending George Morris Mitchell.

MR. HENNESSY said, he rose to present two petitions from the prisoners Marshall and Whitehead. They were worded in precisely similar terms. The petitioners stated that they were taken into custody on a charge of contempt of the House—that in consideration of having been kept in confinement for a week, and of their having acted in entire ignorance of the offence for which they were committed, they prayed that the House would consider the punishment which they had already undergone sufficient. Upon those grounds, as well as upon the fact that the petitioners had expressed their sincere regret and contrition for the offence they had been guilty of, he begged to move that the petition be laid upon the table with a view to the prisoners being discharged from custody.

Petitions from the said Powell Marshall and Henry Whitehead, expressing their regret and contrition for their offence, and praying for their discharge, *brought up*, and read.

Mr. HENNESSY said, that the two petitioners in question were unable to pay the fees which were demanded of them, and that to insist upon their doing so would be simply to inflict on them a more prolonged confinement. Under these circumstances he begged to move that they be discharged from custody.

Motion made, and Question proposed,

"That the said Powell Marshall and Henry Whitehead, having expressed their regret and contrition for their offence, be discharged out of the custody of the Serjeant at Arms, without payment of their Fees."—(*Mr. Hennessy.*)

Colonel WILSON PATTEN said, he thought it was somewhat irregular to make such a Motion without notice.

Mr. SPEAKER said, the hon. Gentleman was not out of order in doing so, as the question involved was one of privilege.

Mr. CHARLES FORSTER said, he, on the part of the Committee of Petitions, had no wish that the House should proceed with undue severity in the present instance. What was chiefly desired was to show that the authority of the House was sufficient to repress practices which militated against the fair exercise of the right of petition. He hoped, therefore, that, inasmuch as those persons now in custody expressed their contrition for the offence they had committed, and had been only guilty in the second degree, and the authority of the House had in their case been vindicated, no opposition would be made to the Motion.

Sir WILLIAM FRASER said, that after two Committees had been sitting on the question, and after the very warm debate which had taken place a few days ago on the subject, hon. Members could be scarcely prepared for such a Motion as that of the hon. Member for the King's County, especially as he had only just presented the petitions on which it was founded. It was, to say the least, a very mild course of proceeding which he suggested, and must rather, he thought, tend to increase the number of fictitious petitions, that when only a few Members were present men who had been proved to have forged signatures should be permitted to come forward in *formâ pauperis* to be absolved from fees imposed in consequence of their offence, and then discharged with a few complimentary remarks.

Sir GEORGE GREY said, that the Report of the Committee proved that the persons in question had been merely agents in the hands of others. They had now been in custody for nearly a week, and he thought that, as they had expressed their contrition for what they had done, the House would be only acting with the usual consideration under such circumstances in agreeing to the Motion. The amount of the fees which they were liable to pay was, he understood, £10, and, as they were in a humble position of life, to insist upon the payment of that sum might involve their being kept in custody for the remainder of the Session.

Motion *agreed to.*

Ordered, That the said Powell Marshall and Henry Whitehead, having expressed their regret and contrition for their offence, be discharged out of the custody of the Serjeant at Arms, without payment of their Fees.

LOTTERIES—PUBLIC DEPARTMENTS.

QUESTION.

Mr. VERNER said, he would beg to ask Mr. Chancellor of the Exchequer, If he is aware that lottery tickets of an illegal character have been extensively circulated amongst the Clerks in the Public Departments, for general distribution, accompanied by gratuitous tickets as an inducement for the sale of the others?

The CHANCELLOR of the EXCHEQUER, in reply, said, he had, like other gentlemen, some time ago received envelopes which appeared to be filled with papers or billets which more or less resembled what the hon. Member described them, and he need hardly say that they had at once found their way into the waste-paper basket. He had no reason to suppose that they had been sent to public officers in particular, and he was not aware it was anything that could be called a circulation. He imagined it was the act of some unauthorized persons, and he had certainly not thought it his duty to take any notice of it.

Mr. VERNER said, he would now beg to ask the Chief Secretary for Ireland, if his attention has been drawn to the distribution of lottery tickets to and by the Irish Constabulary, and if the employment of the Constabulary in this occupation has received the sanction of their superior officers and of the Irish Government; and if, after the opinion lately expressed by the Attorney General as to the illegality of the practice, he is prepared to censure and prohibit it.

Sir ROBERT PEEL said, in reply, that such a proceeding would not have been sanctioned by the Government. He was not aware that any tickets had been distributed by the Irish constabulary. Tickets, he believed, had been forwarded to them, but he was not aware that they had distributed them. After the opinion expressed the other night by the Attorney General, and, indeed, without it, the constabulary would have been liable to censure if they had distributed tickets of this kind.

COURT OF CHANCERY (IRELAND).

QUESTION.

Mr. SCULLY said, he rose to ask the Chief Secretary for Ireland, If he is aware that large and increasing arrears of Untaxed Bills of Costs have been accumulating in the Taxing Office of the Irish Court of Chancery since the death of the late Taxing Master O'Dwyer, and also to inquire when a new Taxing Master will be appointed?

Mr. PEEL said, that no information had been received at the Treasury as to the business in the Taxing Office having fallen into arrears, and no application had been made by the Lord Chancellor of Ireland for the appointment of a successor to Master O'Dwyer.

Mr. WHITESIDE said, the office was a very important one, and ought to be filled up. He wished to know who had the appointment.

Mr. PEEL said, it was in the Lord Chancellor of Ireland, subject to the approval of the Treasury.

CONVOCATION—ALTERATION OF THE CANONS.—QUESTION.

Mr. WHITESIDE said, he wished to ask, Whether a licence has been granted to the Convocation of Canterbury to repeal or alter any of the Canons of 1603, or to obtain the sanction of the Crown to any New Canon; and, if so, whether a Copy of it will be laid upon the table? If no such licence has been granted, he wished to know whether it is the intention of Her Majesty's Government to recommend Her Majesty to give Convocation permission to repeal or alter any of the Canons of 1603?

Sir GEORGE GREY: Sir, the other night I stated that the Archbishop of Canterbury had been informed that while the Crown did not invite the concurrence of Convocation to the proposed alteration of the clerical subscription, if the licence of the Crown was asked Her Majesty would be advised to grant it, for the purpose of enabling Convocation to alter the Canons, in order to bring them into conformity with the Bill now before Parliament. The licence has not yet actually been granted; and what has taken place is this: An Address was presented to her Majesty by Convocation, praying for a licence to alter the 36th and two following Canons in terms which had already been agreed upon by Convocation. The Archbishop was informed that the prayer of the Address could not be granted in that form, because its effect was to ask by anticipation the consent of the Crown to a specific alteration, and to a new declaration to be made by the clergy, before it was ascertained what might be the ultimate decision of Parliament upon the Bill now before it. The Archbishop was, therefore, informed that if the prayer of the Address was merely for a licence in more general terms it would be granted. There will be no objection when the licence is granted, which will be very soon, to lay it on the table, together with the correspondence which has passed on the subject.

PRINCESS OF WALES—ADDRESS OF CONGRATULATION.

Sir GEORGE GREY: Sir, before proceeding to the Orders of the Day, I wish to make a Motion which I am sure will be received with the cordial concurrence of this House. In consequence of the happy event which has taken place since the House last met, I have to propose that the House should agree to an humble Address to Her Majesty to congratulate Her Majesty that the Princess of Wales has given birth to another Prince, and to assure Her Majesty of our loyalty and attachment to Her Person and Family.

Mr. DISRAELI: Sir, I have much pleasure in seconding the Motion of the right hon. Baronet. I am sure that the event is one not more gratifying to Her Majesty than to this House and to all Her Majesty's subjects.

Motion *agreed to.*

Resolved, Nemine Contradicente, That an humble Address be presented to Her Majesty to congratulate Her Majesty on the Princess of Wales having happily given birth to another Prince, and to assure Her Majesty of our feelings of devoted royalty and attachment to Her Majesty's Person and Family.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Motion *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply — Civil Service Estimates — *considered* in Committee.

Class IV.—Education, Science, and Art.

(In the Committee.)

(1.) Question [June 2] again proposed,

"That a sum, not exceeding £13,336 be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1866, for the Expenses of the National Gallery, including the purchase of Pictures."

Mr. AUGUSTUS SMITH said, he wished to ask, whether it was the intention of Her Majesty's Government to propose an Estimate this year for the enlargement of the National Gallery, and if the right hon. Gentleman the First Commissioner of Works would favour the Committee with an outline of his proposed plan.

Mr. COWPER said, the Estimates were in preparation, and he hoped he should be able to lay them on the table of the House in a few days. It was proposed to purchase the ground in the rear of the present building, at present occupied by the workhouse and the parochial schools belonging to St. Martin's-in-the-Fields, and also Archbishop Tenison's school. He had been in communication with the vestry, and he found that they were willing to dispose of the workhouse and parish schools to the Government upon condition that they should receive such a sum of money as would enable them to erect another workhouse in the suburbs, and provide within the parish a casual ward and parochial offices. The Trustees of Archbishop Tenison's schools were also willing to dispose of their property provided means were given them to obtain another school in the parish. And a similar arrangement would have to be made with regard to the parochial schools. It would therefore be his duty to submit to the House a proposal for the purchase of this property, to be laid out as required for the enlargement of the National Gallery from time to time, so as to give the necessary accommodation. That was the only course open for the House to adopt with the view of extending the accommodation. Some time must, however, elapse, before the Royal Academy would be able to obtain a building to which they could transfer their pictures, schools, and exhibitions. When they vacated the apartments they at present occupied the building would be wholly occupied by the National Gallery; but the addition of those rooms to the National Gallery would not give sufficient space for the exhibition and classification of all the pictures by ancient masters, and certainly not for the works of the British School, which were now in South Kensington Museum, and therefore it would be necessary to make an addition to the present building. He hoped the hon. Member would consider what he had said sufficient, without calling upon him to enter into an explanation of what did not relate to the Vote then before the Committee.

Mr. KINNAIRD said, he wished to ask the right hon. Gentleman whether it was his intention, in consequence of the numerous petitions that had been presented upon the subject, to open the National Gallery three evenings in the week, in order that the labouring portion of the metropolis might have an opportunity of inspecting the works of art contained therein. The plan had been tried on particular occasions with perfect success, and was, in fact, adopted in the South Kensington Museum, without the slightest damage having occurred, he believed, to the pictures. Numerous petitions had been already presented in favour of opening the National Gallery three times a week, and the petitions were greatly on the increase. It was clear that the working classes could not visit these collections during the day, and thus they failed to exercise the elevating and beneficial influence upon the mass of the community which they were designed to promote, and which alone entitled them to the name of national collections. He held in his hand a list of resolutions in favour of thus opening these collections, agreed to in one part of London alone. It comprised 7 societies of young men, consisting of 655 members; 3 friendly societies, with 726 members; 13 building societies, with 5,130 members; 2 Christian congregations, of 1,700 persons; 2 bodies of teachers in schools, 61 in number; 12 temperance societies, registering 1,898 persons; 22 public meetings, attended by 9,003 persons; and the officers of a college of 93 students; altogether representing 62 associations and meetings, and 19,266 persons. These had unanimously petitioned Parliament in favour of the movement. He could not see any valid objection to it; for wherever it had been tried it had been found successful, and he earnestly pressed upon his right hon. Friend not to lose this opportunity of at all events assuring the country that this matter should receive the serious and earnest consideration of those who had charge of our national collections. The Royal Academy was opened at night by gaslight, without any difficulty, and without injury to the paintings, at a comparatively small expense. As the national institutions were supported out of the taxes of the people, he thought that every facility should be given to enable them to visit them. He believed it was the hearty wish of the Chancellor of the Exchequer and of other Members of the Government that these national collections should be opened at night, as it was likely to have an elevating and beneficial effect upon the tastes of the working classes.

Lord JOHN MANNERS said, he wished to ask, as some time would necessarily elapse before they could provide a new site and building, if he was to understand, from what the right hon. Genleman the First Commissioner of Works had said, that her Majesty's Government did not intend to offer the ground at Burlington House for the Royal Academy?

Mr. COWPER said, that a proposal had been made by the Government to the Royal Academy, that if they pleased to apply for a site at Burlington House the Government would be prepared to grant it to them. There had not been time as yet to ascertain the intention of the Royal Academy, but in any event a considerable time must necessarily elapse before they could vacate the National Gallery. With reference to opening the national collections three times a week, he quite agreed with his hon. Friend that a great portion of the inhabitants of the metropolis were so busy all day that they could not find time to see the public exhibitions except at night, and, further, that many of the persons for whom these collections were especially provided were just the people who were unable to benefit by them at present. So that he entirely went along with his hon. Friend, on the principle that every public exhibition should be, so far as was feasible and safe, opened in the evening. With regard, however, to the National Gallery, it was in the hands of trustees, who were under a very heavy responsibility for the preservation of works of art so immensely valuable, and which could not possibly be replaced if they were destroyed. It was necessary for the trustees to consider what danger might arise from the use of gas in lighting up the National Gallery for evening exhibition, and they all knew that the mere introduction of gas increased the risk of fire. He would not say that very great precautions might not be used so as, by the application of modern science, to reduce the danger to a minimum, but he must express his opinion that it was not desirable to introduce gas into the present building in Trafalgar Square. If, however, a new building were erected expressly for the purpose of enabling night exhibitions to take place, it could be made fireproof, and the gas might be so introduced as to reduce the risk to a minimum. Another subject which required consideration was the fact that nothing was more deleterious to pictures and other objects of exhibition than the effluvia from gas. On the other hand, great improvements had been made in ventilation, and it was possible in a new building to carry off all the noxious effluvia from gas. It was, however, doubtful whether arrangements could be made for this purpose in the present building, and the pictures would incur very considerable risk if gas were introduced. It would be desirable that buildings erected in future for these purposes should be so constructed as to enable the public to see the national collections in the evening as well as during the day.

Mr. MITFORD said, he wished to ask the right hon. Gentleman, whether the trustees could not open the National Gallery on the days when it was now closed, at a charge of 6*d.* or 1*s.* each person. The Gallery was open to the public on four days in the week, and to students and copiers exclusively on the remaining two days. This was a great inconvenience to the public, which it would be desirable to remedy if possible. It might be objected that an additional expense would be incurred in providing policemen to watch the pictures; but, as some persons must be in attendance to look after them at present, the additional expense would be very small, and would be almost, if not quite, covered by the fees paid by the public. Another objection might be that the persons admitted on payment might interfere with the students. It appeared, however, that not more than thirty-eight students were at work on an average in copying pictures, and they were distributed in five or six rooms. The fee would deter all but real lovers of art from entering the building, while it would give an opportunity to many persons to enjoy the pictures quietly. The students would have cause to rejoice rather than otherwise that such persons were admitted while they were at work, because the lovers of art would often buy a good copy which they might see in progress. It was an anomaly that the public should lay out a large sum of money for a collection, and that they should then be shut out of it for two days a week.

Sir WILLIAM FRASER said, he trusted that due provision would be made in any new building for pictures which might be bequeathed to the nation. He believed that a large number of bequests might be made to the country if a gallery of adequate dimensions were built to receive them. Persons who might be induced to leave their pictures to the nation were now deterred by the apprehension that they would be thrust into some hole or corner where no one could see them.

Mr. AUGUSTUS SMITH said, that the statement of the First Commissioner of Works was satisfactory in one respect—namely, that the National Gallery would remain where it is. It also appeared that the Royal Academy would have to go elsewhere, and that was equally satisfactory. He observed an item of £8,000 for the purchase of pictures; but there was also an item of £9,548 for three balances which were stated to be surrendered to the Exchequer. Was the National Gallery to have those balances in addition to the Vote of £8,000? There was a heavy item for the travelling agency last year, an expense of £2,000 having been incurred in the purchase of pictures, while the pictures themselves only cost £3,000.

The CHANCELLOR of the EXCHEQUER said, that nothing would be more inexpedient than to lay out every year the sum of £8,000 voted by Parliament for the purchase of pictures, whether works of art of sufficient merit presented themselves or not. The question then arose whether this balance should be kept in the hands of the Department or surrendered to the Exchequer, like the other balances. It was always undesirable to make an exception to a sound general rule, and if that exception were justified in the present instance it might be made the pretext for similar claims from other departments. It was therefore thought better that the balances should be surrendered to the Exchequer, and that the Treasury should be willing, on any fair case being made out, to ask the House to re-vote the money.

Question put, and *agreed to.*

(2.) £1,650, British Historical Portrait Gallery.

Mr. WALPOLE said, he wished to know whether in the new buildings to be added to the National Gallery it was contemplated to devote any building for the proper exhibition of the national portraits. No one could properly see them where they now were, and as the number who wished to do so was increasing every year it became a matter of importance that they should be better placed. The pictures were only open for exhibition on a certain number of days, and then only for a limited number of hours. Lately they had been open up to five o'clock, and that was a great convenience. Would the right hon. Gentleman see whether better accommodation for the pictures and increased facilities for the public could not be afforded for a collection which was likely to form a very good historical gallery?

Mr. COWPER said, he agreed that it was important the collection of national portraits should be better exhibited. The present accommodation was only temporary. It was fully intended that when the new gallery was erected a proper place should be found for the exhibition of these portraits. No doubt a really good gallery ought to be made for them. With regard to the hours during which the portraits were now exhibited trustees would be called upon to consider the suggestion of the right hon. Gentleman.

Mr. CAVENDISH BENTINCK said, he wished to know whether the Committee were to understand that these portraits were not to be sent to South Kensington.

Mr. COWPER said, there was a wonderful alarm on the part of some hon. Members at the words "South Kensington." Nothing had yet been decided on the subject.

Vote *agreed to.*

(3.) £4,059, to complete the sum for Magnetic and Meteorological Observations.

SIR WILLIAM FRASER said, he understood that a railway was projected which it was supposed would interfere with the scientific labours carried on at Greenwich Observatory. It was of the greatest importance not only to this country, but also to the world, that nothing should be done to interfere with the delicate observations in course of operation there. It was obvious that the running of railway trains near the Observatory would be injurious, and he trusted that the Government would prevent any such interference.

MR. WHITE said, he wished for some explanation of the item of £500 for a meteorological survey in the West Indies. This was a yearly grant. What progress had been made, and how long was it to last?

MR. PEEL said, that the West Indies paid one-half of these expenses and all incidental expenses. There were a great many islands, and he thought these gentlemen would be occupied for some time to come.

MR. MILNER GIBSON said, that the effect of a railway upon Greenwich Observatory was for the consideration of the Admiralty, not of the Board of Trade.

MR. COWPER said, that it was true a railway proposed to go by a tunnel under Greenwich Park. The Admiralty objected on the ground of injury to the Observatory, and the promoters had accordingly been told that the consent of the Crown could not be given. It was open to the promoters to show that the railway could pass under the Park without injury to the Observatory, but as yet they had not succeeded in doing so.

MR. WHITE said, he thought that there ought to be some report made to Parliament as to the progress of the meteorological survey in the West Indies.

MR. PEEL said, that before the survey was commenced a Parliamentary Report was laid on the table giving a full account of the objects of the survey.

MR. AUGUSTUS SMITH said, he had to complain of the diversity of authorities having control over this Vote. Some items were under the Admiralty and others under the Board of Trade. He wished to know whether the Board of Trade was going on prophesying the weather for the next two days. He believed that the head of that department was at present vacant. Was it the intention of the Government to fill it up? There were Returns presented to the House last year, showing that the prophecies were once right, twice wrong. Last Tuesday week what did the Board of Trade prophesy with regard to the weather? Wind SE to SSW, fresh to moderate. What was the fact? The wind did not blow from those quarters; but a tremendous gale, involving great destruction of property, swept across the north of England. In point of fact, almost all the great storms came before the warning signals; and last Tuesday week the warning "to look out for rough weather," followed the arrival of the gale. He hoped that a gentleman would be placed at the head of the department of high scientific attainments.

MR. MILNER GIBSON said, his hon. Friend had underrated the reputation which the late Admiral Fitzroy enjoyed in the scientific world. He (Mr. Milner Gibson) was only speaking the opinion of those best qualified to give one that the late admiral did a great service in perfecting—in carrying forward—the science of meteorology; and not only had his efforts been acknowledged by scientific men in this country, but they had also been recognized by some of the ablest scientific men in France. He would explain how it was the Board of Trade had to do with this question. Some years ago there was a congress at Brussels, composed of representatives of the principal maritime powers, who decided that it was desirable that ocean statistics should be collected in order that navigators might know what to expect, as it were, in different latitudes and longitudes at different seasons of the year, and thus be assisted in the long voyages round the globe. The English Government agreed to co-operate with France, the United States, and other Governments, in supplying their quota of information and collecting the ocean statistics. It was necessary to supply the merchant vessels with forms to fill up in the course of their voyages, and which were, in fact, to be the means of collecting these statistics; and the Board of Trade being most in connection with those vessels, they were naturally employed to distribute these forms. The collection of these statistics went on for some time, but it had since been very much given up, and they had got into another system, which was not originally contemplated, of predicting—making forecasts—of the weather, and attempting to give a practical application to what was called the science of meteorology. This had been done very much by Admiral Fitzroy himself, but always with the concurrence of this House and of the Royal Society. Since the death of Admiral Fitzroy he had thought it to be his duty, seeing the position of the office, that the whole state of things had been abandoned and a new one substituted—to take the advice of the Royal Society as to what would be the best course to pursue, and whether the science of meteorology was in a condition to justify the Government in proposing Votes of money for the continuance of these weather forecasts. Meanwhile he asked for the usual Votes; and if it should appear to be desirable to abandon the present system, that money would not be expended. At present the duty was discharged by Mr. Babington, who was the late admiral's chief assistant; and he hoped that the money would be voted this year as usual.

Mr. DARBY GRIFFITH said, he observed that there was a considerable item —£3,000—for telegrams, and wished to know whether the money was expended for telegrams indicating the weather in different parts of this country only, or all over Europe. The Department appeared to have become more practical than scientific.

Mr. MILNER GIBSON said, that the Government paid for all the telegrams sent by them to different parts of the United Kingdom and to foreign countries, but, no doubt, a certain portion of expense in connection with this matter was defrayed by foreign Governments.

Mr. HENLEY said, he wished to ask whether he correctly understood the right hon. Gentleman to say that the collection of statistics by merchant ships was given up. As a collection of facts—rather than of prophecies—he thought they might have been made the foundation of some useful object. The expenditure for telegrams by this Department was enormously large, as large as the sum expended for telegrams by the Foreign Office. He hoped the matter would receive the consideration of the Government.

Mr. MILNER GIBSON said, that the collection of the Returns was not absolutely given up, but was very much diminished.

Vote *agreed to.*

(4.) £5,000, Universal Exhibition at Paris.

(5.) £500, Royal Geographical Society.

(6.) £1,000, Royal Society.

(7.) £500, Royal Academy of Music.

Mr. THOMSON HANKEY said, he wished to ask where the Royal Academy of Music was—["Hanover Square!"]—and who managed it?

The CHANCELLOR of the EXCHEQUER said, his hon. Friend might rest assured that if the object was one fit to be promoted by a public grant at all the persons in whose hands the grant was placed were perfectly competent to administer it. One of the Governors was Sir George Clerk, formerly a Member of the House, as good a man of business as ever sat in the House, an enthusiastic lover of music, and a faithful friend and patron of the Institution. The Institution might be described as a normal school of music. It was perfectly open, and therefore worthy of public support. Its object was to teach teachers, and the effect of the moderate aid afforded by the House had been to give a considerable stimulus to voluntary exertion, and cause a large annual addition to private subscriptions. This, indeed, was made a condition of the grant.

Mr. DARBY GRIFFITH said, there were many other societies quite as meritorious as this which received no grant of public money. On some future occasion the Committee might be called on to vote grants for the Antiquarian, Geological, Anthropological and Entomological Societies. The grants were not made on principle, but *pro re natâ*, as the occasion arose.

Vote *agreed to.*

Class V. — Colonial, Consular, and other Foreign Services.

(8.) £4,200, Bermudas.

Lord NAAS said, he wished to ask whether any formal decision had been come to as to the restoration of the convict establishments at this colony.

Sir GEORGE GREY said, an application had been made to him by the War Department with regard to the employment of convicts upon the works at the Bermudas. No formal determination had been come to on the subject, but he thought it inexpedient to restore the convict establishment in the colony, except in case of necessity, and he hoped that other means would be found to execute the works there.

Mr. AUGUSTUS SMITH said, he thought it remarkable that, although the local revenue was constantly increasing, the Imperial expenditure there was the same as before.

MR. CARDWELL said, the local revenue had increased from causes connected with the American war, but it had already begun to decline.

Vote *agreed to.*

(9.) £2,813, to complete the sum for Clergy, North America.

(10.) £1,000, Indian Department, Canada.

(11.) £23,278, Governors and others, West Indies, &c.

(12.) £6,200, to complete the sum for Justices, West Indies.

(13.) £6,730, to complete the sum for Western Coast of Africa.

(14.) £2,924, to complete the sum for St. Helena.

(15.) £700, Orange River Territory.

(16.) £1,104, Heligoland.

(17.) £3,488, to complete the sum for Falkland Islands.

(18.) £2,641, to complete the sum for Labuan.

MR. DARBY GRIFFITH said, that the Vote was of considerable amount. There were charges for all the paraphernalia of a colonial Government, and he should like to hear from the Government what was the condition of things in the colony.

MR. CARDWELL said, that it had been thought expedient to maintain Labuan as a British colony on account of the coal mines which existed there, in order that we might have a coaling station in that neighbourhood.

Vote *agreed to.*

(19.) £300, Pitcairn's Islanders.

(20.) £10,531, Emigration.

(21.) £1,657, Zambesi Expedition.

(22.) £3,000, Treasury Chest.

(23.) £35,000, to complete the sum for Captured Negroes, Bounties on Slaves, &c.

MR. WHITE said, he wished to inquire whether the expected co-operation of the American Government in the suppression of the slave trade was not likely to lead to a diminution of the Vote on a future occasion.

MR. LAYARD said, he thought the hearty co-operation promised to this country by the United States Government would lead most effectually to a decrease, if not to the extinction, of the slave trade. Now that the civil war was at an end, and their ships of war would be free, they would be able to co-operate with us to a greater extent than hitherto.

Vote *agreed to.*

(24.) £7,650, to complete the sum for Commissions for Suppression of Slave Trade.

(25.) Motion made, and Question proposed,

"That a sum, not exceeding £91,018, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1866, for the Consular Establishments Abroad."

MR. CLAY said, that for many years a body called the Russian Company levied charges on British shipping in the Russian ports, a system altogether out of date, and so wholly indefensible that the company itself had given up all these charges with one exception. The company now existed only for the purpose of distributing the revenue arising from its own accumulated funds, and which were exceedingly well spent in charities at St. Petersburg. The solitary charge which they still levied on British shipping was called agency money, yielding about £1,100 per annum; and it had always gone to the British Consul at St. Petersburg, who was also the company's agent; that charge on shipping being, in fact, a way of supplementing the insufficient salary of the Consul. In 1858, 1859, and 1860 the Consul's salary was raised from £750 to £1,000, and it was then quite understood that the charge for agency moneylevied on British shipping should cease. However, whether the Consul thought that £1,100 per annum was better than an extra £250 to his allowance, or whether for some other reason, the charge for agency money had been resorted to again, to the surprise of the shipowners, and was still levied to this day. He had the authority of the Chairman of the Russian Company for saying that they had no wish to continue that impost, a relic of a barbarous age, and that if the Consul were prevented from receiving it they would not appoint another agent, and so the charge would cease. The charge had been condemned by Lord Napier in his despatches to Lord Russell as an unusual and objectionable mode of remunerating the Consul. The Under Secretary for Foreign Affairs had said it could not be defended, and that when the next Consul at St. Petersburg was appointed it would be put an end to. The culprit having thus been condemned, the question was when he should be executed. He had brought the subject before the House last year, when he was assured that something would be done, but the matter had not since then advanced a step. In order, therefore, to raise the question in the only way open to him, whether that objectionable mode of supplementing an insufficient salary by a tax on British shipping should not be discontinued, he begged to move that the item of £750 for the Consul at St. Petersburg be omitted from the present Vote.

Motion made, and Question proposed,

"That the Item of £750, for the Salary of Her Majesty's Consul at St. Petersburg, be omitted from the proposed Vote."—(*Mr. Clay.*)

MR. LAYARD said, he had stated to the Committee in a former year that that addition to the salary of our Consul at St. Petersburg was exceedingly objectionable on principle, although, as the Correspondence presented to the House showed, there was really no grievance in the present case. Yet, as soon as an arrangement could be made, either by finding another post for Mr. de Michele, or by his retirement, the Consul at St. Petersburg would receive a salary adequate to his position, and that fee on British shipping would no longer be levied. Negotiations were pending, the result of which, he hoped, would be that the post would soon become vacant, when a new arrangement would be made. The Government would do their very best that Mr. de Michele should have another place; but it would be scarcely fair to deprive an efficient and long-tried public servant of the salary he had enjoyed for so many years, and which was attached to the office before he accepted it, without adequate compensation. He hoped his hon. Friend would accept the assurance he now gave that, unless he was greatly disappointed, next year this charge would not be made on British shipping; and that he would not divide the Committee on this occasion.

MR. CLAY said, that there was a very simple mode of rectifying this grievance to the shipping interest, amounting to £1,000 a year. If the Government could not provide for Mr. de Michele otherwise, let him be paid as other Consuls were—a proper and sufficient salary being brought forward in the Estimates. If his hon. Friend would promise that, he would not divide on this Vote.

SIR MINTO FARQUHAR said, he must remind the Under Secretary for Foreign Affairs, that in the Committee on the Consular Department it had been clearly demonstrated that charges of this kind created much discontent among the mercantile classes, and engendered disagreeable feelings towards our Consuls. He had nothing to say against the efficiency of Mr. Michele, who, he believed, was a very good Consul; but the charge was one that certainly ought not to be maintained.

MR. KINNAIRD said, he had every reason to rely on the undertaking of his hon. Friend the Under Secretary, but he hoped that not only in this case but in every other where fees were levied on British shipping the practice would be discontinued.

MR. LAYARD said, this was the only case of the kind, and it arose out of the old system of "British factories." He did trust that some better arrangement would be made before next year.

MR. CLAY said, his hon. Friend might be disappointed in his expectations. He was quite certain the Government would do all they could in the matter, but they might not be able to find another appointment for Mr. Michele, or if they did that gentleman might not accept it. Would the hon. Gentleman in that case put a proper salary on the Estimates and relieve the shipping from this obnoxious tax?

MR. AUGUSTUS SMITH said, he thought the Consul at St. Petersburg received more than he ought to receive, and unless this Vote were reduced Mr. Michele would most likely decline to accept another situation when offered.

MR. LAYARD did not think the salary too high, considering how expensive a place St. Petersburg was, but he quite admitted that in principle it was objectionable that a salary should be supplemented by such means as his hon. Friend the Member for Hull had pointed out.

MR. CLAY said, he must repeat his question; would the salary of the Consul at St. Petersburg be placed next year on a proper footing?

MR. LAYARD said, he was certain that no difficulty would be raised on the part of Mr. de Michele, who was anxious to leave St. Petersburg, but of course he could make no promise with regard to the Estimates of next year, which must be left to the Treasury.

MR. DARBY GRIFFITH said, he hoped the Consul at St. Petersburg would not in the meantime be considered to have a vested interest in what he now obtained in an irregular way by fees on British shipping.

THE CHAIRMAN: Does the hon. Member for Hull withdraw his Motion? [MR. CLAY: Certainly not.] It would be more convenient to take the Motion of which notice had been given by the hon. Member for Taunton (Mr. Cavendish Bentinck) first. It would be open to the hon. Member for Hull (Mr. Clay) to propose the reduction of the Vote afterwards.

MR. HENRY SEYMOUR: Surely the Committee could divide more than once on the same Vote.

THE CHAIRMAN: If they took a division on this item they could not go back and discuss a former item.

MR. CAVENDISH BENTINCK said, he wished to call attention to the Consular Establishment at Venice, and asked from the Under Secretary for Foreign Affairs some explanation of the grounds on which it was maintained. It appeared by reference to the Estimates that there was not only a Consul General with a salary of £800 a year, but a Vice Consul with £200 a year. He could understand why we should have kept up the present consular establishment in Venice, when the Austrian Government possessed not only Mantua and Venice, but also Lombardy; when English diplomatic agents in the Lesser Italian States were very few; and when the means of communication with the seat of Government were somewhat difficult; but now matters were very much altered. Austria had lost Lombardy, and the communications with Vienna exist both by railway and electric telegraph, and by the cession of the Ionian Islands the visits of British shipping had been very much reduced. At Venice the entries inwards of British ships for the year 1864 had been forty sailing vessels and thirty-one screw steamers running once a month from Liverpool and London. The latter were regular packets belonging to one company, and they absorbed the largest part of the carrying trade. There was, therefore, very little for a Vice Consul to do at Venice on that score. What the Consul General did he could not conceive. Not only was there a Vice Consul at Venice with £200 a year, but there was also a Vice Consul at Trieste who had much more to do, but whose salary was only £100 a year. That was an enigma he could not understand. It was not his intention to move any reduction in the Vote, because the holders of those offices he thought were entitled to at least a year's notice; but he hoped the reduction would be moved next year unless the explanation of the Government were necessary.

MR. LAYARD said, the hon. Gentleman must be aware that the position of the Venetian territories with the great fortified cities of Venice, Mantua, and Verona was very exceptional, and it was well that we should have the means of communicating with the authorities through our Consul General, who was an old and well known servant of the Crown. The £800 was not mis-spent. By this means we had obtained very valuable and important information. As to the Vice Consul seventy ships must require constant attention. The Vice Consul at Trieste received only £100 a year, because he was allowed to trade.

MR. CAVENDISH BENTINCK said, the present Vice Consul at Venice had been a trader whilst acting as Vice Consul also —he was formerly a banker, though some years ago he became bankrupt.

SIR WILLIAM FRASER said, he wished to know what course he was to pursue, as he desired to call the attention of the Committee to the item under the head of Rome.

THE CHAIRMAN said, that the rule was that after any Motion for the reduction of an item on the Vote had been proposed from the Chair it was not competent for any hon. Member to propose a Motion on or to debate any previous item.

MR. HENRY SEYMOUR said, it was very difficult for an hon. Member to know what to do. He was desirous of calling the attention of the Committee to the charge for our Consul at Abyssinia, but he was unable to catch the eye of the Chairman. Another hon. Member who was more fortunate commenced a discussion upon a later item, and thus debarred him from making any remarks at all.

THE CHAIRMAN said, that when the hon. Member for Hull (Mr. Clay) commenced his remarks upon our Consularship at St. Petersburg, the hon. Member for Poole (Mr. Henry Seymour) should have risen, and said that he desired to offer some remarks upon an earlier item.

MR. HENRY SEYMOUR said, that if this rule, which he believed to be a new one, were persisted in they should have beforehand to beg the Government to break up the Vote into smaller items.

Mr. LAYARD said, he thought that all difficulty would be avoided if hon. Gentlemen would give notice of any Amendments they desired to propose.

The CHAIRMAN said, that the hon. Member could exercise his right in discussing the whole Vote after the particular Motion before the Committee had been disposed of.

Mr. DARBY GRIFFITH said, he demurred entirely to the doctrine of the necessity of giving notice, because the right of raising any matter without giving notice was the especial privilege of the Committee. The rule, as stated by the Chairman, was an extremely inconvenient one, and it might be advisable to consider whether it should not be repealed.

Sir GEORGE GREY said, that the rule was analogous to that which guided the deliberations of the House when in Committee upon any Bill. In Committees of that kind no Amendment could be submitted on any portion of a clause previous to that portion on which an Amendment had been proposed. But on the question that the clause should stand part of the Bill any hon. Member could object to the whole or any portion of the clause.

Question put:—The Committee *divided:* —Ayes 20; Noes 50: Majority 30.

Mr. DARBY GRIFFITH said, he desired to call the attention of the Committee to the case of the two unfortunate gentlemen who had recently been captured by brigands in Italy. One of them had been released, but the other—Mr. Moens—had been detained by his captors. He hoped that the hon. Gentleman would be able to state that the Foreign Office was taking some steps on behalf of this unfortunate gentleman.

Mr. HENRY SEYMOUR said, he wished to inquire about the captives in Abyssinia. It appeared that Her Majesty's Consul, Captain Cameron, two missionaries, and some other individuals had remained for more than a year in captivity in Abyssinia, and the Foreign Office had not been able to procure their release. Upon a former occasion his hon. Friend had stated that anything spoken in that House would come to the knowledge of the King of Abyssinia and might tend to aggravate the misfortunes of the captives. It could not, however, be expected that silence was always to be maintained upon so serious a matter, and the mother of one of the captives had made an appeal to the public upon the subject. Being acquainted with Captain Cameron he had heard of his captivity with alarm, which was heightened by the recent information that the King of Abyssinia had returned unsuccessful from a military expedition. He did not believe that Abyssinia was a country exceedingly difficult to reach. The King was a Christian. The Bishop of Abyssinia was, he understood, sent up in chains from Cairo under a new interpretation, perhaps, of the allegation—*nolo episcopari.* There was constant communication from Cairo, and we had a Consul at Massowah. He believed that a very able gentleman had been sent from Aden to procure the release of the unfortunate prisoners, but he wished to know whether the Government would lay upon the table information as to the efforts that had been made to procure their release, and would state what policy they intended to pursue. He did not know whether the presence of a ship of war on the Abyssinian coast would have any effect, but it was certain that to allow these unfortunate gentlemen to remain in captivity without using every possible means in their favour would be a slur upon the Government which it would be difficult to explain away.

Mr. LAYARD, in reply to the hon. Member for Devizes (Mr. Darby Griffith), said, that every effort was being made by the Foreign Office on behalf of the gentleman—Mr. Moens—to whom he referred, and the Italian Government was doing even more than could be expected from them. It was not advisable to say too much, but he might state that within a few hours intelligence had been received from Naples to the effect that the gentleman had been seen, was well, was fairly treated by the brigands, his captors, and that there were hopes of his speedy release.

The case alluded to by his hon. Friend of the Abyssinian captives was one of very painful interest. The Committee would understand that the Foreign Office could have but one object—to obtain the liberty of the unfortunate gentlemen who were held in captivity. It was a most difficult question to deal with, and one requiring great prudence and circumspection. He would willingly state all that had occurred were it prudent to do so, and the time would come when he thought he should be able to prove that nothing had been omitted to procure the release of the captives; but he could assure his hon. Friend—and he did so most conscientiously—that he believed any public statement at present might lead to serious results. Within the last few days he had received a letter from Mr. Rassam, in which he implored him to prevent the publication of statements relating to this matter, because such statements found their way to Abyssinia, and were used by a party in that country hostile to England for the purpose of inflaming the King's mind. He must express the deep regret he felt to find that there was some one—he did not know whom—in the public service who had betrayed official secrets in a manner deserving of the highest reprobation. In the *Pall Mall Gazette* had appeared extracts from a letter which had been sent confidentially through official channels. He would never desire to restrict the freedom of the press, but when he found that there were persons in public offices who were capable of betraying the trust placed in them it gave him great pain, and he hoped that the journal to which he had alluded, which was a highly respectable journal, would not in future allow such statements to appear, as they were not only injurious, but might possibly lead to actual loss of life. The gentleman who had been selected to go to Massowah to obtain the release of the captives was in communication with leading persons in Abyssinia, and hoped to succeed in his endeavours. Mr. Rassam had been chosen because, although not an Englishman, he had received an English education, partly under his (Mr. Layard's) care. He had studied at Oxford, he had exhibited great ability, and had shown great caution and skill throughout these proceedings. Mr. Rassam was peculiarly fitted for the task intrusted to him, being well acquainted with Eastern manners and languages. The Committee, however, would, he hoped, not require him to enter further into details at present, as they would be attended by risk, but at a future time he should be able to show that the Foreign Office had not neglected its duty. He could hardly tell them for what cause Captain Cameron had been thrown into captivity, for there were different reasons assigned, and in the present state of uncertainty he would avoid any speculation on the subject. In the other House of Parliament a Motion for papers connected with this case had been carried by a majority of one. Those papers were in course of preparation, and if they could be given without risk of injury to the captives they would be produced; but if the Government should be of opinion that their production would be injurious, then it would be their duty to refuse them. Everything that could be done had been done, and was doing, on behalf of the unfortunate prisoners.

SIR WILLIAM FRASER said, he wished to know whether any alteration had been made in the system of passports issued at Rome to British subjects coming home *viâ* France. Englishmen at Rome were told that returning from Civita Vecchia to Marseilles they would not require passports, but at the latter port there was always a discussion with the *gens d'armes* as to whether the individuals claiming to be British subjects were really entitled to that character. The position of the British Consul at Rome was peculiar, and it was difficult to understand from what source the Consular fees were obtained, as there was no commercial business to be transacted. Mr. Russell, the British agent at Rome, who fulfilled the duties of his office with great ability, being unaccredited, had no power, and could only apply to the Papal Government upon sufferance. He wished to know whether British subjects leaving Rome were required to obtain the Consular stamp, and whether they were required to pay fees for such stamp when returning *viâ* France?

MR. LAYARD said, that during the American war, citizens of the so-called Confederate States had found a difficulty in obtaining the *visé* of the United States Consul at Rome, and in their case the Papal Government had waived the requirement. Her Majesty's Government had applied to the Papal Government for a similar concession to British subjects, and had pointed out that the Consular *visé* was not necessary, and was not required elsewhere. No fees were now taken from English travellers leaving Rome. Considerable misapprehension existed in the public mind on the subject of passports. There were several countries in Europe, including Italy and France, in which Englishmen were not required to produce passports; but still they had to identify themselves as Englishmen, and, after all, the readiest and the most convenient plan of doing so was by having a passport, which only costs 2*s*. He should certainly recommend any one to take out a passport, even for those countries where passports were not re-afforded matter for three leading articles in *The Times*, he thought they ought not to refuse to pay him the little compliment contained in the item to which he had drawn attention.

Mr. LAYARD said, he had no particular explanation to give regarding the item in question, and it was scarcely necessary to give one after the excellent defence of it made by the hon. Member himself. Mr. Elliott, our Minister at Greece, was engaged in visiting certain parts of that country, and in a portion of his journey he was accompanied by Viscount Amberley who acted as his private Secretary. When Ministers and other diplomatic officers were sent on any special mission they were frequently taken on board vessels of war, and in such cases some small allowance for expenses of entertainment was made by Government to the captain of the vessel. It was apparent from the manner in which the item was worded that there was no wish to conceal the nature of these charges, which were really very trifling in amount. In the same way, Government were always very glad to afford all the assistance in their power to persons engaged in good and benevolent works. In another part of the Estimate would be found a Vote of £48 for expenses of conveyance of Sir Moses Montefiore, from Gibraltar to Morocco, on board Her Majesty's ship *Magicienne* in January and February, 1864, when that gentleman proceeded on his benevolent mission to the Emperor of Morocco.

Colonel KNOX said, he wished to ask whether Viscount Amberley was attached to the mission?

Mr. LAYARD said, he was not quite certain, but he believed that the noble Lord was not formally attached to the mission, although acting as Mr. Elliott's private Secretary.

Sir WILLIAM FRASER said, he wished to ask for some information respecting the Vote of £3,500 for the Commission employed on the regulation of the navigation of the Danube.

Mr. AUGUSTUS SMITH said, he thought that the operations of the Persian Boundary Commission ought to be brought to an end.

Mr. LAYARD said, that he shared the anxiety which was generally entertained that the Turco-Persian Boundary Commission should bring its labours to a close, and would do his best to expedite their termination. The other Commission, upon which all the great Powers of Europe were represented, was performing a work most important to the corn trade of the country. It had already opened one mouth of the Danube, and was now turning its attention to another.

In reply to Colonel Sykes,

Mr. LAYARD said, that the sum voted was not for works, but for the expenses of the Commission.

Mr. HENNESSY said, he wished to revert to the subject of Viscount Amberley, and to inquire what was the rule laid down by the Government as to the payment of travelling expenses. Must a man, for instance, be the son of a Peer or a Member of that House? If he knew what was the rule he would do his best to qualify himself under it.

Mr. LAYARD said, that this was not really a case of the payment of travelling expenses, but of providing a passage where there was no regular means of communication. He was sure that if the hon. and learned Gentleman himself, notwithstanding his persistent opposition to Her Majesty's Government, found himself at some foreign port where no packets were plying, and one of Her Majesty's ships called there he would not be refused a passage.

Colonel SYKES said, he had to complain of the length of time during which the Persian Boundary Commission had been in existence.

Vote *agreed to.*

(29.) £4,500, Third Secretaries of Embassies.

Class VI — Superannuations and Retired Allowances, and Gratuities for Charitable and other Purposes.

(30.) Motion made, and Question proposed,

"That a sum, not exceeding £119,382, be granted to Her Majesty to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1866, for Superannuation Allowances and Compensations to persons formerly employed in the Public Service."

Mr. AUGUSTUS SMITH said, that although the Vote showed a small reduction it was still very large in amount, and he was afraid that superannuations were not granted according to any fixed principle.

Mr. PEEL said, that the principles according to which superannuations were granted were very strictly laid down in the Act of *Will.* IV. and that passed in the year 1859. The Vote was sometimes swollen in consequence of the abolition of offices, but it was a satisfaction that there was this year a small reduction in its amount.

MR. AUGUSTUS SMITH said, he desired to impress upon the right hon. Gentleman that the Treasury should, whenever it was possible, find occupation for gentlemen whose offices had been abolished. He was afraid that there was some reluctance to adopt this course because it diminished the patronage of the Department.

MR. HENNESSY said, he might instance the case of Hugh Corr, who was now eighty-two years of age, who had been for half a century in the employment of the Government in Ireland, and who received a retiring allowance of only £12 3*s.* 4*d.* a year; as well as the case of Bridget Digman, of the House of Industry, Dublin, who was seventy-six years of age, who had been twenty-two years in the public service, and who retired on an allowance of £5 a year, to show that the Government proceeded on the system of construing the Superannuation Act strictly with regard to persons having only small salaries, while they put a much more liberal interpretation upon it in dealing with those who happened to possess larger salaries. Indeed, many of the pensions to the latter class were not sufficient to save the men from starvation.

MR. PEEL said, the system, such as it was, was one which was based upon the provisions of the Act of Parliament, and proceeded on the same principle of length of service and amount of salary in reference to all salaries, whether large or small.

SIR WILLIAM FRASER said, he wished to know who the hackney carriage attendants were who were set down for superannuation allowances at page 54?

MR. PEEL said, the allowances under that head were not asked for for the first time this year. He could not exactly say under what circumstances those who were in receipt of the pensions at present had retired, as the hon. Baronet had not given him notice of his question.

SIR WILLIAM FRASER said, he merely desired to know who those functionaries were.

MR. AUGUSTUS SMITH said, he found on referring to page 48 an item of £400, by way of retiring allowance to Mr. Hood, late Consul at Buenos Ayres, who was described as being only thirty-one years of age, and as having been in the public service only twelve years, having entered it at the age of nineteen. The cause assigned for his superannuation was the abolition of his office, but surely it was necessary that there should be some one to represent our interests at Buenos Ayres, and he at any rate saw no good reason why Mr. Hood, whose full salary was £800 a year, should after so short a period of service receive £400.

MR. PEEL said, that Mr. Hood was entitled to the pension in accordance with the Act of Parliament, in consequence of the abolition of the office which he held.

COLONEL SYKES said, these Estimates were so voluminous, and included so many important matters, that they ought to be referred to a Committee to report upon them.

MAJOR KNOX said, he wished to ask whether no other Consulship could have been found for Mr. Hood instead of giving him so large a retiring allowance.

MR. AUGUSTUS SMITH said, that as he was not satisfied with the explanation given by the Secretary to the Treasury he should move that the Vote be reduced by the sum of £400 mentioned.

Motion made, and Question put,

"That the Item of £400, for Retiring Allowance to Martin T. Hood, late Consul at Buenos Ayres, be omitted from the proposed Vote."—(*Mr. Augustus Smith.*)

The Committee *divided*:—Ayes 13; Noes 28: Majority 15.

Original Question (£119,382, for Superannuation Allowances and Compensations) put, and *agreed to.*

(31.) £661, for Toulonese and Corsican Emigrants, &c., and American Royalists.

(32.) £325, for the Refuge for the Destitute.

(33.) £1,789, to complete the sum for Polish Refugees and Distressed Spaniards.

(34.) £54,200, for Merchant Seamen's Fund Pensions.

(35.) £21,400, to complete the sum for the Relief of Distressed British Seamen.

(36.) £2,780, to complete the sum for Miscellaneous Charges, formerly on Civil List.

(37.) £2,272, for Public Infirmaries, Ireland.

(38.) £1,600, to complete the sum for the Westmoreland Lock Hospital.

(39.) £700, for the Rotunda Lying-in Hospital.

(40.) £200, for the Coombe Lying-in Hospital.

(41.) £5,600, to complete the sum for House of Industry Hospitals.

(42.) £1,500, to complete the sum for the Cork Street Fever Hospital.

(43.) £600, for the Meath Hospital.

(44.) £100, for St. Mark's Ophthalmic Hospital.

(45.) £300, to complete the sum for Dr. Steevens's Hospital.

(46.) £245, for the Board of Superintendence of Dublin Hospitals.

(47.) £7,644, to complete the sum for the Concordatum Fund and other Charities and Allowances, Ireland.

(48.) Motion made, and Question proposed,

"That a sum, not exceeding £25,809, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1866, for Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland."

Major KNOX said, he was surprised that it was not proposed to increase this Vote. A deputation on the subject had waited on the Chancellor of the Exchequer last year, and the right hon. Gentleman gave them reason to suppose that the Government would raise the salaries of the Presbyterian ministers in Ireland from £75 to £100 a year. The right hon. Gentleman was not now in his place to state why, though he had given that sort of pledge, he had not thought fit to fulfil it. The Presbyterians in the north of Ireland took a great interest in the matter, and they thought it very hard, when so many liberal allowances were made, that the stipends of the Presbyterian ministers should not be increased.

Sir GEORGE GREY said, the hon. and gallant Gentleman must be mistaken in thinking that the Chancellor of the Exchequer had given any pledge whatever. [Major Knox: He told the deputation that he would consider the matter.] The Government had considered the matter and were clearly of opinion that no increase could be made.

Sir FRANCIS CROSSLEY said, he was strongly of opinion that the Vote ought to be abolished altogether. He objected to any sums being voted by Parliament for the support of any man's religion. The principle was opposed to the interests of the denominations and to those of the ministers themselves. If the Vote were abolished these ministers would receive better salaries from their congregations, who could well afford to pay them, than they now did. He was determined not to rest until this Vote should be abolished altogether. It was a monstrous thing that the people of this country should have to pay not only their own ministers, but the ministers of other people. He would not now propose the rejection of the Vote altogether, but as there was an item of £300 increase for new ministers, he should move to reduce the Vote by that amount.

Motion made, and Question proposed,

"That a sum, not exceeding £25,509, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1866, for Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland."—(*Sir Francis Crossley.*)

Mr. REMINGTON MILLS said, he seconded the Amendment. Considering the wealth of the Presbyterian body in Ireland, they were degraded by receiving this money. The Vote had originated in Parliamentary corruption, and had been established by Lord Castlereagh, in order to obtain control over the Presbyterian ministers. He did not accuse the present Government of maintaining the grant with a view to corruption, but it would be well if the Presbyterians of the north of Ireland wiped their hands of it altogether. The money, as voted, was for distribution in a certain manner, but the grant was much abused, as there were ministers under it receiving as much as £200 a year by the accumulation of offices receiving pay. [Colonel Knox — Name!] Dr. Cooke. [Colonel Knox: No!) Yes. Dr. Cooke was a professor, and in various ways his salary, paid out of the grant, was more than £250 a year. It would be an honour to the Presbyterians of Ireland if they would come forward of their own accord and give up this grant altogether.

Mr. WHITESIDE said, the last speaker had been singularly ill-informed on the matter of history. In his patriotic dislike to any grant, the hon. Gentleman was of opinion that this grant had its origin in Parliamentary corruption. This was the product of the hon. Gentleman's imagination—an entire hallucination—as nothing of the kind occurred. If he (Mr. Whiteside) read the history of Ireland aright, the first person who made the grant to the old Presbyterian settlers was a sovereign of whom the hon. Member might, perhaps, have heard, King William III. By his express desire, in consideration of great services performed at a critical period of English history, and after the little affair at Londonderry, the King did suggest to the Parliament of Ireland to make a grant to the ministers who settled in Ulster. It was made for a long time by the Parliament of Ireland, and it was unfair to lay the blame upon Lord Castlereagh, who had enough to answer for. For Lord Castlereagh upheld the honour of England, and with the Duke of Wellington, did as well as most of the Ministers whom they heard of in modern times. Lord Castlereagh was a sensible man, and he naturally desired not to endow, but to encourage the Presbyterian ministers in the north of Ireland, whose congregations were to subscribe a sum equal to the amount voted by Parliament. But it seemed to startle a Member of Parliament that Dr. Cooke should get the enormous sum of £250 a year. Now, in the pulpit, he (Mr. Whiteside), who had heard both, believed Dr. Cooke to be fully equal in eloquence and genius to Dr. Chalmers. If the sum were seven times as great as it was, Dr. Cooke was better entitled to it than many a man who had been a bishop. He (Mr. Whiteside) was surprised, in these days of Parliamentary purity and religious toleration, to hear from the opposite Benches a complaint that an able divine, a celebrated preacher, and eminent scholar, after fifty years spent in the ministry, received £250 a year. The £300 was not a new grant, but merely an extension of the old principle, and he was sure the House would support it.

MR. VANCE said, he thought that this grant ought to be treated on the same footing as the Maynooth grant, and placed upon the Consolidated Fund. It would then be taken out of the arena of political controversy. Sir Robert Peel was asked whether he would make a proposal to this effect, and replied that if any Member would do so he would support the Motion. If the present Secretary for Ireland would submit such a proposal it would receive general support from Irish Members, and would prevent every year much unnecessary and unpleasant discussion. It had been stated that the Presbyterian congregations could well afford to support their own clergy, but they were not so wealthy as dissenting congregations in Yorkshire, and he knew that some of them could not afford to do so. As to the proposed increase for the support of new ministers, that was a part and parcel of the compact, and he hoped the House would adhere to it.

MR. GILPIN said, he regretted that the hon. Baronet (Sir Francis Crossley) had not moved to strike ont the whole Vote. The complaint in Dr. Cooke's case was not that he, who could scarcely be spoken of too highly, was paid a salary of £250 a year, but that he got that amount in some way or other out of this fund. In his opinion, if this compulsory payment was withdrawn able ministers would be well supported; and, instead of receiving a pittance from this House, they would, if worth their bread, earn it from the free-will offerings of their congregations. This paltry grant was a dishonour to those who received it, and nineteen-twentieths of the dissenting community of the three kingdoms would vote against it.

MR. HENNESSY said, the Vote had been opposed hitherto by English Members only, and those were Members of a peculiar class—Voluntaries. On the other hand, he believed the Vote was supported by Irish Members of every section; no Vote excited greater unanimity among Irish Members than that for the support of the Presbyterian clergy. The statement that it was recommended by King William III. was not, in his mind, an argument in favour of the Vote. The fact was that at the time of the Union the Presbyterian clergy of the North of Ireland opposed the Union. In this, he thought, they acted the part of patriots; but if Lord Castlereagh intended to bribe them by what he then proposed he certainly did not succeed in his object.

MR. WHITE said, that if he had any doubt as to the Vote he should give, one remark made by the hon. Member for the King's County (Mr. Hennessy) would have removed it. That hon. Member told the Committee that all Irishmen, Catholics and Protestants, were agreed on this question. Now, such unanimity was wonderful, and seemed possible to be brought about only by the opportunity of putting their hands into the pockets of the people. The Vote was most unjustifiable, and he regretted that the rejection of the whole sum had not been moved. It was also a matter of regret that the hon. Member for Sheffield (Mr. Hadfield) was unavoidably absent. He regarded the Vote as most mischievous in its effects on the Presbyterian religion itself. The Presbyterians were a most opulent body in Ireland, and they ought to be ashamed of persist-ing in such disgraceful mendicancy. It was said that when Presbyterian congregations increased in size they then split up into separate congregations in order to obtain additional Parliamentary grants. It was highly disgraceful, in so opulent a body of Dissenters or Nonconformists, to ask the House for such a grant as that now proposed. This, however, was only a small part of a great question, and the time would come when the country would be alive to the larger question of the Irish Church. The sooner Irish Presbyterianism and State aid were separated the better, and he again expressed his regret that the hon. Member for the West Riding (Sir Francis Crossley) had not moved the omission of the whole Vote.

Sir ROBERT PEEL said, that the Presbyterian body, so far from being a mendicant body, was highly respectable, and worthy of every consideration on the part of Parliament. There was an arrangement that when a congregation consisted of more than a certain number of families a fresh congregation should be formed; and the increase in the Vote was occasioned by the formation of fresh congregations. He was glad that the hon. Member for Sheffield (Mr. Hadfield) was not in the House, for his absence proved that the hon. Member had withdrawn his opposition to the Vote, finding opposition useless. The hon. Member for Wycombe (Mr. Mills) stated truly enough that Dr. Cooke received a salary as agent for this fund. He received £320 a year for salary and allowances, stationery, postage stamps, &c., as agent for the Ministers of the General Assembly, not as a minister of the Presbyterian Church. There was also a salary paid to the agent of the Ministers of the Remonstrant Synod of Ulster of £230, which made up the £550 stated in the Vote. He hoped the hon. Baronet (Sir Francis Crossley) would not go to a division.

Mr. PEEL said, he had received a letter that morning from the hon. Member for Sheffield (Mr. Hadfield), asking him to put off the Vote till Monday, as he could not be present in the House that evening; but, having given notice that the Vote would be taken that night, and finding that many Members from Ireland had attended, expecting that it would now come on for discussion, he regretted that he could not accede to the hon. Gentleman's request.

Mr. BLAKE said, he was sorry that the hon. Member for Brighton (Mr. White), in the warmth of his opposition to religious endowments, should have allowed himself to be betrayed into using unjustifiable expressions towards the Irish Presbyterians. As a Roman Catholic himself, he must say that the Presbyterians were one of the most industrious and respectable bodies in Ireland. With regard to the Vote under discussion, he looked upon it as the result of a compact; and as long as the much larger endowments of the Established Church remained, he thought it a very paltry thing to grudge the Irish Presbyterians a grant of £40,000.

Mr. COX said, he had no intention to offer any disrespect to the Presbyterians of Ireland, but he entirely objected to any grant out of the Consolidated Fund for the support of any particular form of religion. More than 200 years ago the Presbyterian body was brought from Scotland into Ireland by the Crown, no doubt with a view to the planting of their creed there. That might have been a right and proper proceeding at the time it was taken; but the Irish Presbyterians were now Dissenters from the Established Church, and one of the distinctive principles of their dissent was a desire to be free and independent of the State. He regretted the absence of the hon. Member for Sheffield (Mr. Hadfield), and knew that he was attending to his Parliamentary duties in the borough that he represented. That hon. Gentleman, though desirous of being present to move the entire rejection of that Vote, had to address a meeting of his constituents that evening. The mode in which that grant was distributed had the effect of causing a subdivision of congregations for the purpose of securing more of the public money. As a member of the Established Church himself, he thought it was the duty of every denomination to support its own religion out of its own means. On that ground he would vote for the Motion of the hon. Baronet to reduce the Vote, and if that Motion failed he would himself divide the House on behalf of his hon. Friend the Member for Sheffield against the entire Vote.

Question put:—The Committee *divided:* —Ayes 14; Noes 51: Majority 37.

Mr. COX said, he accepted the disparity of Members as an indication that the House in its present state was disposed to support the Vote. He would not divide the Committee on the main question, but promised, if he were returned to the new Parliament, on every occasion to exert his hostility to it.

Mr. SCULLY said, many Presbyterians in Ireland repudiated the attempt that was made last Session to increase this beggarly grant, and in voting for the grant he did so that it might remain in *statu quo.* He was not for attacking the weakest of the bodies which received support from the Church, but would be glad to get rid of all endowments, including Maynooth. He believed that the grant in this case was at first given in the reign of James.

Original Question (£25,809, for Nonconforming, Seceding and Protestant Dissenting Ministers in Ireland) put, and *agreed to.*

Class VII. — Miscellaneous, Special, and Temporary Objects.

(49.) £3,750, for Ecclesiastical Commissioners.

(50.) £27,702, to complete the sum for Temporary Commissions.

(51.) £25,003, to complete the sum for Patent Law Expenses.

(52.) £11,427, to complete the sum for Fishery Board, Scotland.

Mr. HENNESSY wished to ask a question of the right hon. Gentleman the Secretary for the Treasury. The Vote before the Committee included a sum of £3,000 for piers and quays in Scotland. The hon. Member for Galway (Mr. Gregory) would tell the right hon. Gentleman that at this moment the fishermen in Ireland were very anxious to obtain the means of repairing the piers and quays, which assistance had been promised at the same time of the Union, and which had been given for many years by the House. The Secretary to the Treasury was aware that a grant of £5,000 a year had for a long time been paid to the fishermen of Ireland; but it had been stopped some years ago, and he wished to know why it should not be continued. They had just had the Report laid on the table upon Irish Taxation, and the very last paragraph of that Report stated that in Ireland for a number of years the fishermen received aid from the Government. It ceased some years ago, and the Committee recommended that the Government should re-consider the propriety of again extending the same assistance to the fishermen of Ireland. He wished to know what steps the Government were prepared to adopt under these circumstances, with the view of carrying out the recommendations of the Committee?

Mr. PEEL said, that in 1828 the Lord Lieutenant had power under the temporary Act to advance £5,000 to Commissioners for the construction of piers and for the materials of fishermen's boats; but that power expired in 1830. About 1845, £90,000 was granted by Parliament for constructing fishery piers, in sums not exceeding £5,000 for any one pier, or three-fourths of the whole expenditure to be incurred. A portion of that grant still remained, and the Board of Works had recommended to the Treasury that a Bill should be introduced for another grant on the principle of the grant made fifteen years ago, and that proposal was still under the consideration of the Treasury.

Mr. WHITE said, that this Vote was one of the most objectionable in the Estimates. He had often protested against it, and it was really wonderful to see what longevity belongs to a job—for a job he certainly considered this Vote to be, however un-Parliamentary the term might appear. Here, in the 19th century, they were voting a considerable sum in order to maintain in Scotland a Board for the purpose of branding Scotch herrings. Now, he could not conceive the use of such a Board. They were free traders or professed to be free traders, and yet for the sake of patronage they kept up some of the worst remnants of the old protection system. He must protest against the Vote. The sooner the whole system was got rid of the better. He wished to respect vested interests, and would not deprive those who held offices under the Fishery Board without due notice; but still he thought the whole system must be put an end to, and although he would not at present propose that reduction, or divide against the Vote, he hoped the new Parliament would altogether abolish it.

The LORD ADVOCATE said, he was quite aware that this matter had often been discussed in the Parliament which was about to expire; and he had no doubt it would also be discussed in the new Parliament. He believed, however, that no solid argument could be advanced against the Vote. The Estimate included a Vote of £3,427 for branding; but if his hon. Friend would turn to the items, he would find that a sum of £4,500 was paid back in the shape of fees for branding, so that the institution was in fact self-supporting. His hon. Friend said it was a remnant of the old Protectionist system. Possibly it might be so, but the position of matters was this—the herring fishing had thriven in a very wonderful manner under the Board, and Scotch herrings cured under the management of this Board enjoyed a decided preference in the Continental market. His hon. Friend might think it absurd, but it was an undoubted fact that foreign merchants did not so regard the Crown brand affixed by the Board to herrings cured under their direction. No doubt the Crown brand carried with it an enhanced price on the Continent; and without the Crown brand Scotch herrings would not have the preference which they now had. The second part of the Vote was for the general police connected with the herring fishery, and was altogether independent of the branding system. It was absolutely necessary to have some superintendence and security at such places as Wick, for instance, during the fishing season. The third part of the Vote was the smallest and the most needful portion. It was £3,000 to be given for piers and harbours to the small fishing towns in Scotland. The grant was given in return for corresponding amounts advanced in the locality itself; and the House would be surprised to find the sum that the fishermen themselves had been able to advance in order to obtain portions of the grant to be voted. He hoped the House would not hesitate to vote the sum required. Undoubtedly, the Board to which it was granted had administered it hitherto in the most useful manner, and under their auspices the herring fishery of Scotland had attained a point of most successful cultivation.

Mr. SCULLY said, he did not understand whether the money proposed for Ireland was to be advanced by way of loan or grant. It might be interesting to the House, too, to know whether the Crown brand was a broad arrow or not.

Mr. PEEL said, that with reference to the grant made to Ireland and Scotland, the Act by which the former country received the money was only temporary, and expired in 1830. The £5,000 a year formerly granted in Ireland was a free grant. The grant under consideration was to be on the same principle as the £90,000.

Lord JOHN BROWNE said, that there was considerable doubt as to whether the grant in the case of Ireland had expired in 1830. He and other Members of the Irish Taxation Committee dissented from this conclusion, and thought it advisable that the opinion of the Law Officers of the Crown should be taken on the subject.

Mr. HENNESSY said, that the grants to Scotland and Ireland originated in the same Act of Parliament, but it had been perpetuated to Scotland, and had not to Ireland. Unless the Government were prepared to treat both countries in the same manner he should feel bound to oppose the Vote.

Mr. PEEL said, that £90,000 had been given to Ireland, and that no amount of a similar character had been given to Scotland.

Mr. HENNESSY said, that Scotland had received £3,000 a year for forty years, making a total of £120,000.

Mr. MARSH said, he was not at all interested in the dispute between Scotland and Ireland, because he maintained that neither country ought to receive anything at all. The practice of giving encouragement by means of Government money was contrary to the principles of free trade.

Mr. LONGFIELD said, that it was proved before the Irish Taxation Committee that the Irish fishery suffered from the want of an authentic brand such as was supplied by the Fishery Board in Scotland.

Sir STAFFORD NORTHCOTE said, that the Report of the Irish Taxation Committee was not yet before them, and so it was premature perhaps to enter minutely into this discussion. It might be stated, however, that the Committee thought that the Law Officers of the Crown ought to have their attention directed to this question. He thought it undesirable and inconvenient to discuss the question now. When the Report was brought up it might be necessary to take the opinion of the House on the matter.

Vote *agreed to.*

(53.) £2,000, for Trustees of Manufactures, Scotland.

(54.) £39,532, to complete the sum for Local Dues on Shipping under Treaties of Reciprocity.

(55.) £1,900, to complete the sum for Inspectors of Corn Returns.

(56.) £500, for Boundary Survey, Ireland.

(57.) £500, for Brehon Laws, Ireland.

Mr. BLAKE said, he wished to ask when any part of the work would be completed.

Sir ROBERT PEEL said, that one volume had already been issued this year, and another volume might be expected in the course of a few months.

Vote *agreed to.*

(58.) £5,000, Flax Cultivation in Ireland.

MR. FINLAY said, it gave him great satisfaction to find that Ireland was not entirely forgotten by the Government. He wished to know what advantage had been or was expected to be derived from this grant. In Scotland they considered that flax was an exhaustive and undesirable crop injurious to the land. It seemed strange to offer premiums on the cultivation of such an article.

MR. MARSH said, he thought it was contrary to all principles of political economy for Parliament to grant money for the encouragement of any particular crop in any part of the British territories. Flax ever since the days of Virgil was considered a most exhausting crop.

SIR ROBERT PEEL said, that the Prime Minister, in consequence of the representations made by a deputation that waited upon him last year, agreed to insert a Vote in the Estimates for the encouragement of flax in Ireland, believing that it would be productive of great good to that country. At the request of the Irish Members £2,000 was granted last year, which had proved so useful that the sum was increased. This was the last year, he believed, it would be given. It did not appear to be an exhausting crop in Ireland, for in Ulster flax had been grown continuously for many years with the greatest success.

MR. HENNESSY complained of this money being given exclusively to the south and west of Ireland, whereas it was equally wanted in the King's and other central counties, which took a great interest in the flax movement. He would remind the hon. Member opposite (Mr. Marsh) that in the reign of King William III. it was attempted to put down the Irish woollen trade, and that for ages the efforts of the English Parliament had been directed to the repression of the manufactures of Ireland, to which cause her present condition was mainly attributable. It was only fair that Parliament should now make some attempts to remedy past mislegislation, but he thought the Vote was paltry in amount.

MR. SCULLY said, the encouragement of flax cultivation in Ireland was of the utmost importance, but it was still a doubtful question whether it was really beneficial or injurious to the land. The Vote was not accurately described. This money was really granted for the purpose of teaching the farmers of Ireland how to cultivate the growth of flax without exhausting the soil.

MR. BLAKE corroborated the statement of the Chief Secretary for Ireland that the expenditure of the money had done great good, and as he was to some extent instrumental in getting up the deputation which waited on the noble Lord last year, should also add that they were led to hope that the grant would have been of a larger character, and was glad to find that the advantage resulting from it was so manifest as to induce the Government to increase the amount. He would beg hon. Members who seemed disposed to oppose the Vote, to consider whether it was not justified quite as much on Imperial grounds as from any advantage likely to result to Ireland. The disasters occasioned to the manufacturing interest, and which fell heavily on the labouring portion of the English population, must still be fresh in their memory, and they knew it was occasioned by the impossibility of obtaining sufficient cotton, owing to the disastrous war in America. If they had sufficient textile material produced at a moderate price in the United Kingdom they would be quite independent of foreign supply, and would not be subject to a similar calamity in the way of thousands of their people being thrown out of bread as lately occurred. It was, therefore, good policy of the Government to endeavour to promote flax cultivation in Ireland, as it would tend to make them independent of other countries for their supply of textile materials; and, besides, the money paid in Ireland for flax would come back to them again in the purchase of other species of British manufacture.

MR. COX said, he wished to know to what purpose this £5,000 was applied. Was it for instruction in the manipulation of the crop, or was it an encouragement merely for the growth of it?

SIR ROBERT PEEL said, that the hon. Member for Cork (Mr. Scully) had just stated the purpose. It would be applied towards the payment of instructors to teach the small farmers in the south and south-west of Ireland how they should manipulate their flax crops without injuring the ground. The money would be placed for distribution in the hands of the Royal Dublin Society and Royal Agricultural Society of Ireland. A Return had been published, in which it was shown that the most beneficial results had flowed from this arrangement.

Vote *agreed to.*

(59.) £780, Malta and Alexandria Telegraph, and Subsidies to Telegraph Companies.

Mr. MARSH said, he wished to ask for an explanation of this Vote. He wished to know by what process of arithmetic three-fifths of £500, the expenses of the Government Superintendent at Malta, came to £500, as charged in the Estimates?

Mr. MOOR said, he wished to ask what necessity there was of keeping a superintendent at Malta. It was a mistake to say that the cable was held under a lease from the Government until the 1st of January, 1867, because he believed that since the Estimates had been prepared it had been leased for forty-two years longer. If the cable had been so leased, what was the use of keeping a superintendent at Malta with no power over the working of the cable? The Estimate only gave the receipts for nine months, instead of the whole year, as it ought to have done.

Mr. PEEL said, that three-fifths of the superintendent's salary was paid out of the Imperial Treasury, and two-fifths by the Indian Government, the line having been laid down at the joint expense of both Governments. Four or five years ago the cable was leased to Messrs. Glass and Elliott up to 1867, and it had since been sub-let with the sanction of the Government to the present company, and the result was that the Imperial Government received one-half of the gross receipts of the line. The lessees were bound to certain conditions, and it was necessary to have a superintendent on the spot to see that the line was properly worked and the fair share of the earnings given to the Government. The sum of £500 in the Estimate was the share of the Imperial Government of his salary. The money was well expended in having such an officer on the spot. Since the Estimates had been prepared negotiations had been entered into for further leasing the line. The line, it would be remembered, broke down last year, and great difficulty was experienced in restoring its working condition. Having been constructed for deep water, it gave way when sunk in shallow water. In consequence of what had happened it was deemed desirable to enter into new arrangements, and lease the line for a period of forty years, the cable to be given up to the Government in as good working condition as when it was leased; the company taking the whole of the expenses and the receipts, and paying to the Government an interest at the rate of 3½ per cent on £450,000, which was the sum the line had cost the Imperial and the Indian Governments. It was supposed that that arrangement would secure to the Government for the next forty years an income of between £15,000 and £16,000 per annum. The arrangement was a satisfactory one, and he believed if carried out it would be unnecessary to keep the superintendent at Malta.

Sir WILLIAM FRASER said, he supposed it was the intention of Her Majesty's Government to make the communication between this country and India perfect in less than forty years.

Mr. MOOR said, the right hon. Gentleman had not made out a case for retaining the superintendent an hour longer than was necessary for sending a telegraphic message from here to Malta dismissing him.

Vote *agreed to.*

(60.) £10,000, Agricultural Statistics, Great Britain.

(61.) £14,674, to complete the sum for Miscellaneous Expenses from Civil Contingencies.

Sir WILLIAM FRASER said, he wished to call attention to an item of £3,000 for robes, collars, badges, &c., for the Knights of the several orders, and intimated that he should on some future occasion call the attention of the House to this matter. The next item he saw had reference to the Tower of London. Within the Tower of London there was one of the smallest but, at the same time, one of the most interesting of churches, that of St. Peter *ad vincula.* Some of the most celebrated characters to be found in English history, many of whom had expiated their political offences upon the scaffold, were there interred. Any gentleman entering this church—which he believed was a parish church—would feel that the greatest desecration had been committed, and instead of its being most carefully preserved, it was very much neglected, and was filled up with the monuments of aldermen and lord mayors; respectable people, no doubt, but a reference to English history would have led one to suppose that more interest would have been taken in Anne Boleyn, the Duke of Monmouth, and other similar characters. Six or seven years ago he pointed out that something ought to be done in the way of improving this church, but as yet nothing had been done. A great deal of money had been very properly spent of late years on the Tower of London, and he thought a few hundreds in making this church—so renowned for its architectural beauty and historic associations—both useful and ornamental would not be objected to by the country.

MR. WYLD called attention to the charge of £1,456 17*s*. 5*d*., for "expenses incurred by the War Department in executing a *fac simile* of *Doomsday Book* by the photozincographic process," and asked why it had not been charged to the War Department. Referring to expenses in connection with British cemeteries at Varna and Scutari, he wished to know what the Government had done with regard to the preservation of the cemeteries of Sebastopol. The French Government had taken the necessary steps for preserving theirs from destruction.

MR. PEEL said, that with regard to the *fac simile* of *Doomsday Book*, it was found that as fast as each copy was completed the sale repaid the expense; and it was thought the expenses, under the circumstances, ought to be charged to the civil contingencies. The cemeteries at Sebastopol had engaged the attention of the Government, and a considerable sum had been spent towards keeping them in a proper and becoming state. An officer had recently been appointed to take charge of the cemetery at Scutari.

MR. SCULLY remarked that all kinds of rubbish had been shot into these "miscellaneous expenses." A sum of £3,000 for robes, collars, badges, &c., for the knights of the several orders was a very large one for such a purpose, and there was an item of £401 for the purchase and conveyance of sheep presented to the Viceroy of Egypt.

MR. PEEL said, that the charge for robes, collars, &c., must of course vary according to the number of appointments. It was larger this year than last because the appointments by Her Majesty had been more numerous. Formerly the knights paid for their own robes, &c., but a few years since it was decided that they should be no longer called upon to do so, but that their cost should be defrayed at the public expense.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee to sit again *To-morrow.*

GREENWICH HOSPITAL (*re-committed*) BILL—[BILL 179.]—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave Chair."

MR. CAVE expressed his approval of the main object of the measure. He believed that the congregating in almshouses and asylums of people who had been accustomed to a totally different kind of life, and worrying them with rules and regulations, was a kind of charity much more agreeable to the giver than to the receiver. There was, in fact, too often more ostentation than charity in such arrangements. You might keep birds in a gilded aviary, with all appliances for their comfort, but the birds would rather live a much rougher life in their native woods. So far, he thought, the Bill proceeded in the right direction. When he came to the provision for the staff whose employment would be at an end, he saw that there at least there was no evidence of the ingratitude of Governments, and he could not help feeling that the best post under the Crown was that of an abolished officer. But though not only titles and salaries but even the residences of the abolished officers were to be continued to them—["No, no!"]—this was certainly the case with some, no one could doubt that—there must be a very considerable quantity of building for which no present use could be found, and he ventured to suggest a manner in which a portion might be disposed of. Every one who had passed up and down the Thames was familiar with the *Dreadnought*, an old man-of-war lent by the Government as an hospital for seamen of all nations. A more useful charity did not exist. He had heard foreign sailors describe with tears in their eyes the kindness they had received on board the *Dreadnought* from strangers when left behind by their own countrymen to die or recover as best they might in a foreign land. He regretted that it was proposed to abandon the ship for an hospital on shore, as the sight of the old three-decker, with the pale-faced convalescents on her deck, was more calculated to attract the notice of those who passed to the great port of London along the watery highway from every country in the world than a building on shore, which would in their eyes be little different from any other hospital; but, if they were to adopt this course, and he believed the reasons for it were cogent, then what more appropriate use could be found for a wing of Greenwich Hospital? It had been suggested that if the hospital was placed in a Government building, people would look upon it as supported by Government, and would withhold their contributions; but the same might be said of the *Dreadnought*, and the difficulty might be met by simply placing over the hospital the same inscription—"Hospital for Seamen of all Nations, supported by voluntary contributions." Too much money was spent in building by the managers of charitable institutions, and he thought that this proposal, which would save the funds of the Hospital £60,000, was worthy of consideration.

Motion *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 4, inclusive, *agreed to.*

Clause 5 (Power to Order New Pensions, &c.)

Sir JOHN HAY said, he wished to suggest the insertion of words authorizing the Admiralty to grant pensions as well as gratuities to the widows of non-commissioned officers and men. The grant of a pension was not always the best mode of providing for widows, but it would be well that the Admiralty should have power to make such provision in cases in which they might think it appropriate.

Mr. AYRTON said, he desired, before they came to the part of the clause to which the Amendment of the hon. and gallant Member for Wakefield (Sir John Hay) would apply, to call the attention of the Committee to the circumstance that the clause as it stood entirely excluded all claims on the part of merchant seamen to participate in the benefits of Greenwich Hospital, as out-pensioners, which benefits would be confined to the Royal Navy and Marines. There was no dispute that any man who was wounded or disabled in service in presence of an enemy or in defending his ship against pirates was entitled to the benefits of the Hospital. He thought that he should have been justified in extending the claim to the widows of such men; but as he understood that his hon. Friend the Junior Lord of the Admiralty (Mr. Childers), while admitting the claims of the men, was not prepared to include their widows, he had confined the Amendment of which he had given notice to the reservation of the rights of seamen of the mercantile marine as they now existed. As, however, his hon. Friend had given notice of an Amendment upon the subject, he should not move that which he had placed upon the paper, but would leave his hon. Friend to deal with the subject.

Mr. CHILDERS said, that as it was the object of this Bill to maintain unaltered the rights of all parties as they now existed, he could not consent to include in this clause the widows of merchant seamen; nor did he think that it would be desirable to introduce the Amendment recommended by the hon. and gallant Gentleman the Member for Wakefield (Sir John Hay). The means by which he proposed to effect the object aimed at by the hon. and learned Gentleman the Member for the Tower Hamlets (Mr. Ayrton) was the insertion in this clause, authorizing the grant of pensions to certain classes of persons, of the words "and seamen of the merchant service for the time being entitled to the benefits of Greenwich Hospital."

Mr. HENNESSY said, that he had an Amendment to propose, which would come in before that of the hon. Gentleman. This clause provided that pensions should be granted to "officers," and defined them to be "captains, commanders, lieutenants, masters, paymasters, and warrant officers." From a Report signed by the Junior Lord of the Admiralty, which had been presented to the House, it appeared that according to the interpretation placed upon it by the Government, the term "officers" did not include medical officers or chaplains. Chaplains were dealt with by a subsequent clause, and therefore medical officers were the only class of officers who were excluded from the benefits of this Bill. This was the more unjust because the Commissioners who inquired into the state of Greenwich Hospital reported that the only part of the establishment which required no reform was that which was under the control of the medical staff. The hon. Member concluded with his Amendment proposed, that in Clause 5, line 12, after the word "officers" the words "medical officers" be inserted. —(Mr. Hennesy.)

Mr. CHILDERS said, he could not consent to the proposed Amendment, as in the first place, the words proposed to be inserted were superfluous, the word "officers" including medical officers; and, in the second place, because the medical officers not being deprived of any advantage by the scheme, were not entitled to any benefit from it. The Bill proposed to substitute certain benefits for certain existing advantages. Neither chaplains nor medical officers would lose any advantages under the present scheme. There would be as many employed as there were at present.

Sir JOHN PAKINGTON said, the question which had just been raised justified the objection which he had raised on a former occasion, as to the indistinctness of the Bill. He entirely agreed in the opinion that medical officers ought to share in the pensions, but neither medical officers nor engineer officers—who likewise should be—were included in the Bill. If there had been a schedule to the Bill they might have been inserted. At present there was no guide as to the mode of dealing with these pensions. The Bill was most indistinctly worded, and the paper which had been laid before the House for the purpose of explaining the Bill omitted the two classes of officers from the list of those who were to share in the benefits of the charity.

Mr. MOOR said, he wished to inquire whether the medical officers were to be excluded from sharing in the advantages of the Hospital.

Mr. CHILDERS said, that the clause would not exclude them as they came within the general word "officers." There would be two occasions annually when the matter could be discussed. In the first place, when the Orders of Council in reference to the Hospital were laid upon the table, and secondly, when the Vote in aid of the Hospital was proposed. But he repeated that it was not at present intended to give additional pensions to medical officers.

Mr. C. P. BERKELEY said, the medical officers would still have open to them the appointments to Greenwich Hospital. There was, however, another class of officers, who were altogether omitted from the Bill—namely, the Marine officers. They had subscribed to the funds of Greenwich Hospital as well as to that of Chelsea, but when they made any application they were told that they ought to be charged upon the funds of Chelsea Hospital, and when they applied there they were told that they ought to be charged upon the funds of Greenwich Hospital.

Sir FITZROY KELLY said, the Marine officers were expressly included in that list, while the medical officers were as expressly excluded from it. Notwithstanding the assurance the hon. Gentleman had given them that medical officers were included in the general word "officers," some hon. Gentlemen had doubts on the subject which might easily be removed by the two or three words necessary being inserted in the interpretation clause.

Mr. CHILDERS said, he would take care that the wishes of the hon. and learned Member (Sir FitzRoy Kelly) should receive attention.

Mr. HENNESSY said, he wished to know exactly in what position the medical officers were to stand, as the only paper purporting to give a list of those who were to share in the advantages of the Hospital expressly excluded medical officers. The only way of settling the matter was to insert the words.

Sir JOHN HAY said, he thought the matter would be much complicated by interpolating the words "medical officers," those officers being included in the general term "officers." It would be invidious to name them alone.

Mr. HENNESSY said, after the assurance of the Junior Lord of the Admiralty, that the medical officers were included in the word "officers," he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Lord CLARENCE PAGET said, he should be sorry if the hon. Member withdrew his Amendment, on the supposition that medical officers were intended to participate in the benefits of the scheme. Medical officers held appointments in the Hospital at present, and those appointments they would not be deprived of, so that, as they lost nothing by the scheme, they could not fairly hope to derive benefit from it.

Mr. HASSARD said, he thought the words in the clause sufficiently large to include all officers.

Mr. CHILDERS said, the clause did not affect individuals, but simply operated to give pensions to certain classes. He should take care that the interpretation clause was so framed that the word "officers" should bear the usual construction of that word in matters relating to the Hospital.

Clause *agreed to.*

Clauses 6 to 9, inclusive, *agreed to.*

Clause 10 (Money to be voted before Title to pension.)

Sir FITZROY KELLY said, he should like to have some explanation of what was really meant by the words "nothing in this Act or in any Order of Council shall give any person any title to a pension unless money is provided by Parliament for the payment thereof." Supposing a meritorious officer was entitled to and had granted him a pension of £1,000 a year out of the revenues of Greenwich Hospital, it appeared by this clause that no pension or annuity should be paid unless out of monies voted for that purpose by Parliament. Did that mean that such pensions should depend upon a Vote taken year by year in that House, and so that the source of livelihood of a person should be liable to be stopped by the Government, backed by a majority of the House? It might be thought that he alluded to a particular case, and it was quite true that he did so. A well known and distinguished officer was granted a pension, and the Ministry, having a command of a majority of the House, availed itself of its power, and intercepted the payment of money actually due to the individual to whom he referred.

Mr. CHILDERS said, that the hon. and learned Gentleman did not seem to have ascertained what the effect would be of subsequent clauses of the Bill. Under the 13th clause, for example, existing officers would be compensated by way of annuities purchased at the National Debt Office without the necessity of an annual Vote, or its being requisite that the names of the officers should appear on the Estimates. The operation of the clause under discussion would be simply to place Greenwich future pensioners in the same category as those in existence in connection with the army and the navy.

Sir JOHN PAKINGTON said, he could not understand why this noble Hospital, with its income of £150,000 a year, should have every part of its expenditure voted by Parliament.

Lord CLARENCE PAGET said, that the idea involved was that the dispensation of pensions should come, as it always had done, under the cognizance of that House.

Sir FITZROY KELLY said, he was not satisfied with the answer of the noble Lord. Suppose that under the Act a pension was granted, being approved by this House, would the grantee hold it independently of this House, or would it be in the power of the Government to come down to this House and, by its command of a majority, stop the payment of the pension?

The ATTORNEY GENERAL said, these pensions would rest on the same footing as all others which were granted by Parliament. The constitutional practice was that all such pensions should be voted annually by this House, although the faith of Parliament might be pledged to their continuance. Of course, it was open to anybody to propose that Parliament should violate the engagement it had entered into, but this was not a probable contingency.

Mr. WALPOLE said, the clause expressed what its framers hardly meant to convey. It declared that this House was to determine annually whether these pensions were to continue or not. The intention of the Government, no doubt, was that the pensions, though the amounts were to be voted annually, should not be called in question after being once granted; if that were so, the clause should be framed accordingly.

Mr. AYRTON said, he thought that the grant of these out-pensions would be liable to great abuses, and that they should come under the notice of Parliament every year just as other pensions did.

Sir STAFFORD NORTHCOTE said, that these pensions did not stand on all-fours with those which were granted out of the taxation of the country, and which were, therefore, rightly open to the annual revision of Parliament; they were derived from a fund applicable for certain purposes. He wished to know what was to become of the surplus revenue, supposing the whole of it should not be expended.

Mr. CHILDERS said, that subsequent clauses would provide for the investment of the balance precisely as it was now invested. With regard to the clause to which objection had been taken, it should be looked into, and if it was found open to the objection that had been raised it should be altered.

Mr. HENLEY said, it was quite clear that the revenues of Greenwich Hospital were confiscated and merged in the national funds, and that all pensions connected therewith would in future depend upon the mercy and annual Votes of Parliament. The present officers did not appear to have confidence in "the faith of Parliament," or of the Government, as they appeared to think an independent annuity better for them to have than a pension—at least so it appeared from the clause quoted by the hon. Gentleman (Mr. Childers).

LORD CLARENCE PAGET said, that the right hon. Gentleman (Mr. Henley) was mistaken in supposing that the funds of Greenwich Hospital were liable to be dealt with by Parliament. The Admiralty, as trustees of the Hospital, would be able to invest any funds of the Hospital without coming to Parliament at all.

MR. HASSARD said, he thought that it was clear from one of the sections of the Bill that all investments of the funds of the Hospital were to be made by the Admiralty exclusively for the benefit of the Hospital. By another clause Parliament would have the power of annually revising the pensions, but no injury could accrue to the recipients unless the Government neglected to ask the House to vote the annual grant.

SIR FITZROY KELLY said, he would move the omission of the clause, on the ground that if retained it would put it in the power of the Government for the time being, not by a Vote of the House, but of its own mere Motion, by simply omitting the Vote, to deprive persons who might be entitled to pensions of what was their right. And something of the same kind had been done in the case of a well-known contract not long since. By the omission of the Ministers of the Crown to move a Vote for the payment of money actually due, an individual who had performed his contract was deprived of what was his due. What he desired was that the Government should distinctly pledge themselves to put this Bill into such a form that when once a pension was granted it should be the absolute property of the grantee, unless by some misdemeanor he forfeited his right to it.

THE ATTORNEY GENERAL said, there could not well be two things more entirely different than that of the contract to which his hon. and learned Friend had referred and the case now before the Committee. In the former case the contract was never authorized by Parliament; but the Government thought fit to give the House an opportunity of expressing its opinion on the subject, because, when the money for the packet service was voted, specific words were inserted that no part of such money should be applied to the contract in question. But, with regard to the case now before the Committee, if at any future time the Government omitted to do its duty, the House had the remedy in its own hands, for it had always the power to move an Address to the Crown. His hon. and learned Friend knew very well that there were a great many persons who received their pensions by annual grants, and it was not the habit of the Government to omit asking the House to grant them.

MR. CORRY said, that in all cases in which the sanction of Parliament was required it ought to be required but once. They were told that this was a Bill to secure vested rights; but, if that were so, what need was there for subjecting the Vote to the annual revision of the House?

MR. CHILDERS said, the clause did not refer in the smallest degree to existing rights, which were all provided for under Clause 13. The clause before the Committee simply related to future pensions to officers, exactly like good service pensions now, which were voted in the gross every year by the House, after having once come separately before it for approval. It was simply proposed to put the two classes of pensions on the same footing.

Question put, "That the Clause stand part of the Bill.

The Committee *divided:* — Ayes 64; Noes 37: Majority 27.

Clause 11 (Abolition of Commissioners, &c.)

SIR JOHN HAY said, he thought that the Report of the Royal Commission contemplated very distinctly the maintenance of the post of Master and Governor of Greenwich Hospital. The Commissioners paid great attention to the subject, and they found there was very strong reason for maintaining that office, even though it might be considered in some degree a sinecure. Much more benefit was conferred by it upon the navy than there would be by frittering the amount away in five or ten pensions. His object was to move the omission in the tenth line of the clause of the words "and of Governor," in order to retain that office. It was the only prize at present open to distinguished officers of the navy, though in the sister service various regiments were open to old officers. From its commencement it had been held by men eminent for their merits in the profession. It had been looked forward to as the prize of honourable ambition by officers of the rank of admiral; and he felt quite sure that the navy would regard the abolition of the office with great jealousy and dislike. He trusted that the House would agree to the omission of the words.

Amendment proposed, in line 10, to leave out the words "and of the Governor."—(*Sir John Hay.*)

Lord CLARENCE PAGET said, he could by no means agree to the Amendment, and he doubted whether any considerable number of officers of the navy would agree with his hon. and gallant Friend. Parliament was about to abolish various comfortable offices in the Hospital by this Bill, among them flag officers, and would it be consonant with justice to leave the Governor alone in full possession of his large income? It would be extremely unfair to the other officers to make this office an exception. The Bill, moreover, assumed that a Superintendent of the Hospital would be appointed, and he and the Governor would be something like the two Kings at Brentford. Such an alteration of the Bill would only lead to difficulty and dispute. The sum saved by the abolition of the office of Governor would be much better bestowed in pensions to flag officers than in maintaining a sinecure of this kind. He trusted that the Amendment would not be pressed.

Sir JOHN HAY said, he was very loth to withdraw his proposal. It must be recollected that the office of Master and Governor stood on a different footing from that of other officers appointed to Greenwich Hospital for the fulfilment of various duties within it. He would appeal to the hon. Member for South Shields (Mr. Ingham) whether the Commissioners did not devote considerable time to the matter, and whether they were not of opinion that the Master and Governor was appointed on the ground of his merits in his profession, and not for the benefit of the Institution. From the first to the last an officer of the most distinguished qualities and character had been elected to that appointment, which was one coveted very earnestly by the members of the navy.

Mr. INGHAM said, that this matter had been before debated, and that he, as one of the Commissioners, had already expressed his agreement with the Report and his concurrence in the desire to preserve an office which had been held by so many distinguished sailors who had cast lustre upon the appointment.

Sir JOHN PAKINGTON said, that if the hon. and gallant Member went to a division he would support him. Because Greenwich Hospital refused reform the Admiralty had pushed changes to an unnecessary extent, and in fact were effecting a complete revolution in the establishment. He saw no reason for doing away with one of the prizes of the Royal Navy, and he regretted that it seemed intended by the Government to reduce the establishment, like Haslar or Netley, to the position of a mere hospital for the sick under the management of a Superintendent.

Mr. CORRY said, he questioned whether the pensioners would not feel it as a degradation that an old and distinguished admiral should be removed from the post of Governor. He was aware that under the Bill the present Governor would not be removed, but no admiral would in future be appointed as Governor.

Mr. CHILDERS said, that the scope of the Bill was that for the future, after the death of the present Governor and Lieutenant Governor, there should not remain at Greenwich Hospital great sinecure offices, and he trusted that the House would agree to the plan of abolishing sinecures and supplying their place by a large number of moderate pensions. Pensions of a moderate amount would be given to different ranks of the service, and there would be ten pensions to flag officers of £150 a year each.

Mr. LYGON said, he must deny that the post of the Governor of Greenwich Hospital was a sinecure. The *esprit de corps* of the Hospital would be preserved by the retention of the office for a distinguished officer renowned for great services and heroic actions.

Mr. WALPOLE said, that in support of the retention of the office he might advert to the hardships inflicted on admirals serving on foreign stations, where their appointment, instead of being a source of emolument, occasioned great expense to them. If any compensation for that hardship could be given it ought not to be refused. He said this, having been the Chairman of the Committee. Take this one prize of the Governorship away and the principal one was removed. He did not think that other officers in the navy would be jealous by its falling into distinguished hands. The continuance of this office, as a prize for the reward of conspicuous merit, would benefit the profession.

Lord CLARENCE PAGET said, that if this office was to be kept up so much must be deducted from the emoluments of the other flag officers whom it was proposed to benefit by the present scheme. Was the money which it was intended to pay over to the other ten flag officers to be so paid, or was it to go to this great office?

Sir JOHN HAY said, he believed the majority of the profession was in favour of the retention of the office. He thought that the officers of the navy would much rather have the one great office of Governor retained than that there should be a great number of officers at small pensions.

Admiral WALCOTT said, he thought the profession would regard the abolition of the office with great regret.

Mr. C. P. BERKELEY said, the officers at Greenwich Hospital, although they rose in rank, would not rise in pay.

Mr. CHILDERS said, the Greenwich Hospital funds were not intended for large salaries for insufficient work. He hoped the House would adhere to the principle of the Bill, which was that as many pensions as possible should be granted.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 57; Noes 53: Majority 4.

Sir JOHN HAY said, that the opinion of the Committee having been so evenly balanced on the subject of his Amendment, he should deem it right to take the sense of the House on it again upon the Report.

Clause added to the Bill.

Clauses 12 and 13 *agreed to*.

Clause 14 (Continuance of Superannuation Allowance.)

Sir MORTON PETO said, he meant to move the omission of the clause—

> "Provided that if any Commissioner or any officer who was removed from office was at the commencement of that Act in receipt of any superannuation allowance in respect of any former employment in the Civil Service, he should be entitled to continue to receive, in addition to the annuity given under a previous provision, the amount of superannuation allowance of which he was in receipt at the commencement of that Act, and no more."

If he succeeded in carrying the omission of that clause, he proposed to substitute for it another, of which he had given notice, namely—

> "Whereas Sir Richard Maddox Bromley, night Commander of the Most Honourable Order of the Bath, and now one of the Commissioners of Greenwich Hospital, will be entitled upon the passing of this Act to an annuity for his life as hereinbefore provided; and whereas the said Sir Richard Maddox Bromley is likewise entitled to a superannuation allowance in respect of the office of Accountant General of the Navy, heretofore held by the said Sir Richard Maddox Bromley, be it enacted, that the said Sir Richard Maddox Bromley shall henceforth receive the full amount of such superannuation allowance without any deduction in respect of his said office of Commissioner of Greenwich Hospital or the salary or emoluments thereof."

When Sir Richard Bromley, somewhat broken in health by his devotion to the public service, applied to the Lords of the Admiralty on the subject of his retirement, the Duke of Somerset offered him the position of Commissioner of Greenwich Hospital, and the correspondence which passed at the time showed what the intentions of the Government were with respect to his emoluments. A Treasury Minute also recorded the high sense entertained by the Government of Sir Richard's eminent services as Accountant General of the Navy during the last thirty-four years. After accepting the Commissionership of Greenwich Hospital by Patent Sir Richard Bromley was astonished to find in a few months that the Treasury thought he was not entitled to the full benefit of the position he had held, and that they limited the amount paid to him to what had been allowed him as Accountant General of the Navy only. Sir Richard held that the previous intentions of the Government in regard to his position had not been carried out, and he received the limited sum offered to him under protest. He had taken good legal advice on the subject, and he meant to prosecute his claim to that which he believed himself entitled at the hands of the Government, and which had never before been withheld from those who had occupied his position. But that clause would, by *ex post facto* legislation, entirely shut the door against his claim. On that ground he proposed the omission of the clause.

Motion, made, and Question proposed, "That the Clause be omitted."—(*Sir Morton Peto.*)

Mr. CHILDERS said, he quite endorsed what had fallen from the hon. Baronet as to the eminent services of Sir Richard Bromley; but what was the real question as to this clause? Under the Superannuation Act an officer already in receipt of a superannuation allowance, on obtaining fresh employment, was entitled only to draw a sufficient amount of superannuation allowance to make up, together with his fres employment, the full amount of his original emoluments. Sir Richard Bromley had received £1,300 a year as Accountant General of the Navy. He also received £300 a year as Auditor of Prize Accounts. He resigned the Accountant Generalship of the Navy two years ago, and on the same day was appointed Commissioner of Greenwich Hospital with emoluments equal to £818 per annum. The Treasury, in fixing his superannuation, prescribed that he should only draw enough to make up with the emoluments of Greenwich Hospital the original £1,300 a year. He continued to be Auditor of Prize Accounts, and thus received in all £1,600 a year. The effect of the present clause was to entitle him to receive for life the £1,300 a year in respect of his superannuation and the Greenwich Commissionership, and so long as he continued to be also Auditor of Prize Accounts he would in all receive £1,300 a year. In other words he would receive for doing little or nothing during the rest of his life the same emoluments as two years ago he received for, perhaps, the most onerous office under the Crown. He (Mr. Childers) did not think that the House of Commons, if they had any regard to consistency in dealing with the Civil Servants of the Crown, would think of giving him more.

Question put, "That the Clause stand part of the Bill."

The Committee *divided:* — Ayes 77; Noes 31 : Majority 46.

Clause *agreed to.*

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

FALMOUTH BOROUGH BILL.

On Motion of Mr. Baring, Bill to provide for the discontinuance of a separate Court of Quarter Sessions and a separate Gaol in the Borough of Falmouth, *ordered* to be brought in by Mr. Baring and Mr. St. Aubyn.

Bill *presented,* and read 1°. [Bill 200.]

PENALTIES LAW AMENDMENT BILL.

On Motion of Sir George Grey, Bill to amend the Law Relating to Small Penalties, *ordered* to be brought in by Sir George Grey and Mr. Baring.

Bill *presented,* and read 1°. [Bill 202.]

ECCLESIASTICAL COMMISSION (SUPERANNUATION ALLOWANCES) BILL.

On Motion of Mr. Walpole, Bill to enable the Ecclesiastical Commissioners for England to grant Superannuation Allowances to persons employed in their service, *ordered* to be brought in by Mr. Walpole and Mr. Edward Pleydell Bouverie.

Bill *presented,* and read 1°. [Bill 201.]

NATIONAL GALLERY (DUBLIN) BILL.

On Motion of Mr. Peel, Bill to amend the Acts for the establishment of a National Gallery in Dublin, *ordered* to be brought in by Mr. Peel and Mr. Luke White.

Bill *presented,* and read 1°. [Bill 203.]

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Friday, June 9, 1865.

MINUTES.]—Supply—Civil Service Estimates—*considered in Committee.*—Class IV.—Education, Science, and Art—Revenue Department.

Public Bills—*Committee*—Prisons (*re-comm.*) [141].

Report—Prisons (*re-comm.*) [141].

Withdrawn — Writs Registration (Scotland) [48], [The Lord Advocate].

The House met at Twelve of the clock.

PRISONS (*re-committed*) BILL.

[BILL 141.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 14, inclusive, *agreed to.*

Clause 15 (Superannuation of Officers.)

Sir MINTO FARQUHAR said, he wished to recognize the principle, that after a service for a certain period, and at a certain age, officers should be entitled to have their claims to superannuation considered by the visiting magistrates. He therefore proposed, that after the word "prison" in line 31, there should be inserted "has been an officer for not less than twenty years, and not less than fifty years of age." The clause, as he proposed to amend it, would be precisely similar to a clause in the Lunatic Asylums' Acts.

Sir GEORGE GREY said, that the officers employed under the Lunacy Act were men of peculiar qualifications, and there was a special recommendation that they should be put on a better footing with regard to superannuation than any other class. If the Amendment were adopted a claim would be made to extend the same terms to the officers of convict prisons, and then to other officers of the Civil Service. The clause had been very carefully considered by the Select Committee, and he thought it would be undesirable to make the change in it that was proposed by the hon. Baronet. If, however, a provision of this kind were to be inserted in the Bill, fifty years was too early an age at which to entitle an officer to an allowance. If the word "sixty" were substituted for "fifty" no great inconvenience would arise from the adoption of the Amendment, and he would not oppose it. A man of fifty years of age might be well able to continue to discharge his duty, and he did not see why he should be superannuated at that age. The age for superannuation under the Police Act was sixty.

MR. HENLEY said, that the clause had been fully considered by the Select Committee, and was almost unanimously agreed to. He would not object to superannuation at sixty, but should prefer the clause as it stood.

SIR MINTO FARQUHAR would accept the suggestion of the Home Secretary.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 16 to 18, inclusive, *agreed to.*

Clause 19 (Requisitions of Act as to Hard Labour.)

MR. MITFORD said, that in many small prisons some of the prisoners were employed as cooks and nurses. Would not this be properly considered as "bodily labour" of the second class?

SIR GEORGE GREY did not think that employment either as cooks or nurses came under the description of hard labour. Baking really was hard labour, and might be so considered. The Select Committee were of opinion that it was undesirable to exempt prisoners from some description of hard labour when hard labour formed a portion of the sentence. There were always hard labour prisoners unable to do hard work, and these might be employed in cooking and nursing.

Clause *agreed to.*

Clause 20 *agreed to.*

Clause 21 (Rules in addition to Regulations in Schedule.)

MR. BARROW inquired whether the rules to be made by the justices would, after this Bill passed, sufficiently empower the governors of prisons to alter the diet as a mode of punishment in the case of mild offenders.

SIR GEORGE GREY believed that the governor exercised that power at present. His power of punishing for certain offences by close confinement was limited to three days; but in the case of trifling punishments he clearly would have the same power that he had at present under the direction and control of the justices.

Clause *agreed to.*

Clause 22 (Inspectors of Prisons to leave a Minute of Observations.)

SIR GEORGE GREY said, that the object of this clause was a very desirable one—namely, that when an Inspector examined a prison and found defects in it, these defects should not be kept concealed from the immediate notice of the visiting justices until the annual Report had been laid before Parliament. The clause, therefore, provided that when an Inspector found any irregularities to exist in a prison, he should make a report on the subject to the visiting justices; but as it might be inconvenient to oblige an Inspector on every occasion of this kind to make a report, he proposed to amend the clause by the insertion of words enabling the Inspector to call attention by letter addressed to the visiting justices to any irregularities that he observed to exist in prisons, so that they might take measures for remedying them. He proposed, therefore, to leave out the words "make a report on the state of the prisons," and insert the words "call their attention to any irregularity he may have observed."

MR. HENLEY could not see a great difference between "making a report," as it stood in the clause, and "calling attention," according to the Amendment. Remarks of Prison Inspectors ought not to be made carelessly or loosely, and when made, on mature consideration, they ought to be matter of record.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 23 to 41, inclusive, *agreed to.*

Clause 42 (Allowance to discharged Prisoners.)

MR. MUNDY said, he should desire to see the principle of this clause still further extended. It was a subject of just complaint that when a prisoner was discharged from prison he was almost obliged to relapse into crime, because he had no means of obtaining a subsistence. He would grant, therefore, to every prisoner, on leaving prison, a certain proportion of the earnings he made during his incarceration, and thus give him a chance, if he chose to do so, of returning to an honest course of life. In many foreign prisons the principle had been adopted, and it had been stated that in the Canton de Vaud, in Switzerland, the prisoners on being discharged from them received as much as two-thirds of their earnings.

Sir BALDWIN LEIGHTON would like to know how the earnings of each prisoner were to be ascertained and calculated? In scarcely one gaol that he knew were there any real earnings. He believed there were charities in most gaols from which prisoners might be assisted with small sums on their discharge.

Sir GEORGE GREY said, that this was no new enactment, but was copied from an existing Act. It had not been long in operation, but it was working well, and it would be undesirable to alter or repeal it without further experience of its operation.

Mr. MUNDY: How far can you go beyond £2 at present?

Sir GEORGE GREY: You cannot go beyond £2 at all.

Clause *agreed to.*

Clause 43 to 52, inclusive, *agreed to.*

Clause 53 (Appointment of Visiting Justices.)

Sir STAFFORD NORTHCOTE asked what was the reason of limiting the number of visiting justices to twelve. In the larger districts there would be an advantage in having a greater number than twelve. He moved to leave out the words "not exceeding twelve."

Sir GEORGE GREY said, that the majority of the Select Committee were favourable to this limitation of the number of visiting justices, in the belief that the smaller the number the greater the responsibility. For himself, he rather doubted the expediency of the limit to any particular number.

Colonel STUART suggested the substitution of "eighteen" for "twelve."

Mr. HENLEY thought it would be much better to leave the number open, and let each county do as it thought best.

Amendment *agreed to.*

Clause *agreed to.*

Remaining clauses *agreed to.*

Schedule I. (Regulations for Government of Prisons.)

Section 29. "The hair of a female prisoner shall not be cut without her consent, except on account of vermin or dirt, or when the surgeon deems it requisite on the ground of health; and the hair of male prisoners shall not be cut closer than may be necessary for the purpose of health and cleanliness."

Mr. MUNDY said, that female prisoners were sometimes so disorderly that it was necessary the visiting justices should have the power of cutting off their hair as a punishment. He should not wish to see it carried out; but where female prisoners set the authority of the prison officers at defiance, and destroyed their clothes and everything they could lay their hands upon, the threat of cutting off their hair might be usefully held over them *in terrorem.* He moved, as an Amendment, after the word "health," to insert "or under the sanction of the visiting justices as a punishment in extreme cases."

Amendment proposed, after the word "health," to insert the words "or under the sanction of the visiting justices as a punishment in cases of refractory conduct in prison."—(*Mr. Mundy.*)

Sir STAFFORD NORTHCOTE said, it occasionally happened that the visiting justices had a class of female prisoners on their hands who were very difficult to deal with. When they were disorderly the justices could not inflict corporal punishment, and the only punishments they could carry out were a reduction of diet and confinement in a dark cell. The punishment of cutting off their hair was the most effective of all, and he should vote for the Amendment.

Mr. BRISCOE said, that to cut off the hair of a female prisoner was the most cruel and severe punishment that could be inflicted on a woman. He should divide the House against the Amendment.

Mr. ADDERLEY believed that this punishment was one which it was necessary the justices should possess in certain cases.

Mr. BARROW, from his experience as a visiting justice, would vote for the Amendment. He knew a case in which a profligate woman was confined in prison who defied the authority of the gaolers, and sang obscene songs at the top of her voice for a couple of days. He believed that the fear of this punishment was necessary to deter women of that class from such excesses.

Sir BALDWIN LEIGHTON said, that the present punishment for disorderly female prisoners was quite insufficient. In the prison in his county a strong, handsome girl of twenty was confined. She had previously been in Chester and two or three other prisons, and she at length came to Millbank, and her story was given in the *Revelations of a Prison Matron.* This girl attacked the female officers of his (Sir Baldwin Leighton's) county prison, tore down the grate and a portion of the walls, and the visiting justices were at their wits' end to know what to do with her. The matron was obliged to keep her bed for two days in consequence of her violence, and the girl was fourteen days in irons before she would beg anybody's pardon. She knew they could not cut off her hair, but if that punishment could have been inflicted it would not have been necessary to handcuff her — the threat would have been enough. In another case in his county a woman told the matron she knew they could not flog her. The matron was about to leave the prison, not for any fault, but because she was going to be married. What she did was perfectly illegal, but it was quite effectual—she went into the woman's cell, and herself gave her an exceedingly sound whipping, and the woman was never disorderly again. If the visiting justices could have cut off these women's hair the threat would have been enough, and they would not have had to punish either of them.

Sir GEORGE GREY said, that the Amendment gave the power in "extreme cases." This was vague, and he doubted, moreover, whether it would be a deterrent. He had no great objection, however, to give the power to the visiting justices if the offence were more exactly defined.

Mr. HENLEY said, that the power of cutting off women's hair used to be exercised in prisons and workhouses, but it had very properly been given up. In some ill-managed prisons every case would be an "extreme case," and the women would all be docked. This would be an act of the greatest cruelty. It was a heavier punishment than could be now inflicted on a woman. Half of the women in gaol would rather have twelve months' imprisonment than have their hair cut. He would vote for the clause as it stood.

Mr. HUNT said, he was desirous that the justices should have the power of inflicting the punishment; but, at the same time, he should not like to see it done. He suggested that instead of "extreme cases" the words of the Amendment should run "in cases of refractory conduct in prisons."

Mr. MUNDY said, he would accept the suggestion of his hon. Friend.

Question put, "That those words be there inserted."

The Committee *divided:*—Ayes 22; Noes 39: Majority 17.

Mr. MUNDY moved an Amendment to the effect that the hair of no boy should be cut close when imprisoned for a first offence. He mentioned an instance in which a boy who had had his hair so cut was unable from that circumstance to get employment after he left prison.

Mr. WRIGHTSON said, that the power of cutting off the hair of lads was very useful. Sometimes, when they obstinately refused to pay small fines, they gave way and paid the money as soon as the barber came into the room.

Mr. MUNDY objected to cutting off the hair of any boy who might be imprisoned for a first offence. It prevented a lad from getting employment.

Sir GEORGE GREY said, that the object of cutting the hair close was cleanliness, and that very much the same thing was done in the army.

Amendment *negatived.*

Section *agreed to.*

Section 34 (Regulations as to Hard Labour of the First Class.)

Mr. CAVE pointed out that in small gaols there would be no one available for nursing and cooking except prisoners sentenced to hard labour. He submitted that well-conducted prisoners sentenced to hard labour of the second class might be employed in the duties of nursing and cooking, or else the smaller gaols would be without nurses and cooks. He entirely agreed with the hon. Member for Midhurst (Mr. Mitford) on this point, and hoped the Government would concede it.

Sir GEORGE GREY thought it would be better that the hon. Gentleman should give notice of his Amendment, that the Members of the Select Committee might have an opportunity of stating the grounds on which they framed the regulations as they stand in the Schedule.

Mr. CAVE said, he would bring up a clause on the Report.

Section *agreed to.*

Clause 47 (Ministers to visit Prisons under certain Restrictions.)

Mr. MUNDY moved to leave out "shall" and insert "may."

Sir GEORGE GREY could not agree to leave the matter to the discretion of the justices. The clause took away the necessity of a special request in each case.

Sir WILLIAM JOLLIFFE wished to leave the justices no discretion in such a matter, so that no prisoner need be excluded from religious instruction.

Mr. BARROW said, that in his county they got hold of a London burglar who at first declared himself to be a member of the Established Church, and then, wishing to give the authorities some trouble, represented that he was a Roman Catholic.

Sir GEORGE GREY said, that under this Bill the statement made by a prisoner on entering a gaol as to his religious persuasion would be taken down, and would hold good during his term of imprisonment.

Remainder of the schedule, with verbal amendments, *agreed to.*

Schedules 2 and 3 *agreed to.*

House *resumed.*

Bill *reported ;* as amended, to be *considered* on *Monday* next.

CASE OF WALTER CRAYTHORNE. QUESTION.

Mr. COX said, he would beg to ask the Secretary of State for the Home Department, If his attention has been called to the sentence passed by the Rev. W. Wales, at Uppingham, on a lad named Walter Craythorne, of twenty-one days imprisonment, with hard labour, for absenting himself for a short time from the service of his master, Mr. Needham, notwithstanding Mr. Needham entreated that a week's imprisonment only should be given the lad ?

Sir GEORGE GREY, in reply, said his attention had not been called to the subject, as no complaint or representation had been made to him about it. If any were made to him he would inquire into it.

NAVY—SIR RICHARD BROMLEY. QUESTION.

Sir JOHN PAKINGTON said, he wished to ask when the papers which were moved for some days ago by the hon. Member for Stamford (Sir Stafford Northcote), relating to the case of Sir Richard Bromley), will be laid upon the table. They were exceedingly short, and he could see no reason why they had not already been produced. It was necessary that the papers should be in the hands of Members before proceeding to discuss the Motion of which he (Sir John Pakington) had given notice ?

Mr. CHILDERS replied that the papers should be laid on the table shortly.

ARMY—CASE OF LIEUTENANT COLONEL DAWKINS.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Under Secretary of State for War, Whether it is the intention of the military authorities to take any official notice of the letter published by Lieutenant Colonel Dawkins on the 1st June, contradicting the statements respecting his case which have been put forward by those authorities ?

The Marquess of HARTINGTON: Sir, the letter referred to by the hon. Gentleman was addressed to the Editor of *The Times,* and was published in that newspaper on the 1st of June. I have not had an opportunity, since the hon. Gentleman placed his Notice upon the paper, of consulting either the Secretary for War or the Commander-in-Chief on the subject; but I believe it would be quite unprecedented that any official notice should be taken by the military authorities of a letter addressed not to them but to a newspaper. I can, therefore, safely inform the hon. Gentleman that no official notice has been taken of that letter, which contained statements in reply to my speech on Lieutenant Colonel Dawkins's case that do not in any way affect the Secretary for War or the Commander-in-Chief. I alone am responsible for the statements in that speech, and after consulting all the documents to which I have access, I still believe them to be substantially accurate. The hon. Gentleman may feel assured that it is not my intention to enter into any correspondence with Lieutenant Colonel Dawkins on the subject. I am quite content to allow hon. Gentlemen who still take an interest in Lieutenant Colonel Dawkins's case to judge whether there is any substantial difference between that gentleman's statements and mine.

Mr. DARBY GRIFFITH said, he supposed he might take it that the noble Lord's statements were not made upon the authority of either the Secretary for War or the Commander-in-Chief.

THE MARQUESS OF HARTINGTON: I am personally responsible for any statements contained in my speech.

WRITS REGISTRATION (SCOTLAND) BILL—[*The Lord Advocate*]—[BILL 48.]

On Order for resuming Adjourned Debate on Amendment on going into Committee [2nd June].

MR. GRANT DUFF asked the Lord Advocate what course he proposed to take in reference to this Bill.

THE LORD ADVOCATE said, he found that though he had received the support of the majority of the Scotch Members in regard to the Bill, yet the opposition was so formidable that he had no hope of carrying the measure this Session, and he therefore intended to withdraw it. The question, however, had gained very much by being amply discussed, and in a future Session he hoped that the Scotch representatives would be more unanimous on the matter. He moved that the order be now read, and *discharged.*

Order of the Day read, and *discharged.*

Bill *withdrawn.*

ACCIDENT ON THE GREAT WESTERN RAILWAY.—QUESTION.

SIR WILLIAM GALLWEY said, referring to an accident which occurred the other day upon the Great Western Railway, he wished to ask the President of the Board of Trade, Whether he would use his authority, or, if he had no authority, his influence to prevent for the future the locking of the doors of railway carriages, a custom which was in reality only adhered to for the convenience of railway companies, and which was most dangerous to the travelling public?

SIR LAWRENCE PALK said, he had given notice that he meant to call attention to this subject upon going into Supply.

MR. MILNER GIBSON said, that the Board of Trade had no authority on this matter, but if any representation was made to them it would, of course, be their duty to communicate with the railway companies upon the subject, and ascertain what objection there was to allowing the doors to remain unlocked.

SIR WILLIAM GALLWEY said, he hoped that the right hon. Gentleman would consider the question as a representation.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

IRELAND—THE CONSTABULARY.

OBSERVATIONS.

MR. BLAKE said, he rose to call the attention of the Chief Secretary for Ireland to the general practice which prevails on the part of the Constabulary in handcuffing all prisoners in their custody on their way to and from the place of detention, and to inquire whether he would have any objection to suggest to the Inspector General of Constabulary the desirability of issuing an order to the force under his command to make some relaxation in the practice of handcuffing in the case of persons charged with trivial offences when no apprehension is entertained of resistance or rescue being attempted. He was induced to bring the subject forward, not only from what he witnessed himself, but also from representations which had been made to him of the unnecessary manner in which the Irish constabulary frequently employed handcuffs in the case of persons of general good character charged with trivial offences. Such provision was very properly given them to prevent escape or violence on the part of the prisoner, and when any apprehension was entertained of a rescue being attempted, and the precaution was a very proper one in all cases of persons charged with or convicted of serious offences; but in a great number of instances the Irish police handcuffed parties after conviction guilty of some very trifling offence, for which, probably, the magistrates had inflicted some small fine or short period of imprisonment—twenty-four or forty-eight hours. He had often seen young innocent country lads, who for some little row at a fair or race-course might have to undergo a short term in prison, brought away from the sessions court manacled to old offenders convicted of some serious offence. Very often, also, persons before trial were handcuffed on their way to sessions, who, from the trifling nature of their offence, could have no object in trying to escape from custody. He had often also heard persons of really good character who got into some little trouble plead most imploringly to the police, but in vain, not to disgrace them by handcuffing when it was certain they would have gone quietly to prison. He had taken some trouble to ascertain from Inspectors of Police in England whether the handcuffs were employed to the same extent as in Ireland, and found they were not used at all so often—indeed, some of the police authorities expressed the utmost surprise at the cases which he mentioned to them that he had seen them employed. Some English police officers told him that when occasionally men who formerly belonged to the Irish constabulary joined their force that they had to restrain them from the too frequent use of handcuffs, owing to the habit they had acquired of resorting to them on occasions in Ireland which would not be tolerated in England. He could assure the right hon. Baronet that the humble classes in Ireland were particularly sensitive of such an outrage; the practice was calculated frequently to cause a feeling of degradation, and lead to recklessness on the part of those who, if not thus outraged, might never commit a second offence; but when exposed to public view, manacled perhaps to a thief, their self-respect would be gone for ever. It was a bad policy to do anything needlessly in Ireland calculated to cause animosity against the law or the police—there was nothing, he believed, more likely to do it than the practice alluded to—and he earnestly appealed to the good sense and good feeling of the right hon. Baronet to suggest to the Inspector General to direct that greater discretion should be used by the police in future in the use of handcuffs, especially in the instance of persons charged with trifling offences.

Mr. WHITESIDE said, before the right hon. Baronet answered the Question he wished to ask him if he would interfere and prevent the searching of female prisoners charged with petty thefts at the police-station. A female who had stolen a pair of boots in Dublin was apprehended with the boots in her hand, and when taken to the station she was stripped and searched by the female searcher. He thought the practice very objectionable, except in extreme cases.

Sir HUGH CAIRNS said, he wished to call the attention of the right hon. Baronet to another matter intimately connected with the constabulary. The right hon. Baronet might not be able then to give him a distinct reply, but, perhaps, he would promise to inquire into it, as it had reference to the manner in which the police got up complaints. The matter to which he was about to refer had undergone investigation before the stipendiary magistrate at Belfast. A very respectable tradesman was proceeding to his house of business along a footpath, where two members of the constabulary force were lounging against a wall and obstructing a little the way. It never entered into the mind of this gentleman to offer any violence to either of them, but he touched the leg of one of them in order to pass. The constables thereupon arrested the gentleman at once, and, as they admitted, used most vituperative language. This occurred on the Saturday afternoon, and the gentleman was placed in confinement and kept there for thirty-six hours, when he was brought on the following Monday before the magistrates, and charged with assaulting the constables. After investigating the charge, the magistrates came to the conclusion that there was no ground whatever for preferring the charge of assault; that no assault or violence of any description had been committed by the gentleman; but, on the contrary, they stated that the conduct of the constabulary was most improper, on their own showing. Well, the charge was, of course, dismissed. Thereupon the gentleman who had been thus injured, sent a statement of the facts of his case to the Inspector of the Constabulary in Dublin, and called upon him, as the head of the force, to express his opinion officially upon them, and to take the proper steps to prevent a recurrence of such a proceeding. The answer which the gentleman received was to the following effect:—

> "In acknowledging the receipt of your letter of the 24th of May, I regret much to find that it contains a complaint against the conduct of the police; but as it is not one against their discipline, I can only suggest, if you consider yourself aggrieved, that you are at liberty to take such legal steps as you may be advised,"—

meaning, as he (Sir Hugh Cairns) supposed, a civil action at law against the offending constables. Let hon. Members imagine what would be said in this country if such a case had occurred in London, if some member of the metropolitan police force had treated a gentleman in the same way as the Dublin police had treated the person referred to, and that Sir Richard Mayne, when applied to for redress, had written a similar letter as the Chief Inspector of the Irish Constabulary had penned? "I leave you to consult your attorney, and to bring a civil action for the injury you have sustained." It was, he might add, of the utmost importance that confidence in the constabulary force in Ireland, which was so numerous, and which had so much of a military character, should be maintained, and he, therefore, hoped the Chief Secretary for Ireland would have inquiry instituted into the circumstances which he had brought under his notice.

MR. HENNESSY observed, that such statements as those which had been made by his hon. Friend near him would hardly be altogether new to the Secretary for the Home Department, inasmuch as several members of the Irish constabulary force had been draughted into the London metropolitan police, and were at once checked by their superior officers whenever they resorted to such practices as they had been in the habit of adopting in Ireland. He had risen, however, chiefly to ask whether, inasmuch as the old law under which a man was liable to seven years' penal servitude for begging in Ireland had been repealed by an Act passed in the present Session, a man named Doyle, who had a short time ago been sentenced to penal servitude under that law, would have the clemency of the Crown exercised in his case, and have his sentence remitted? As to the Irish constabulary, he believed them to be a most admirable force, and that any charges which might be brought against them were to be attributed to the authorities at Dublin Castle, by whom the most arbitrary and harsh instructions were issued to the force.

SIR ROBERT PEEL, in answer to the hon. and learned Member for the King's County (Mr. Hennessy), said, it was the intention of the Government to recommend the remission of the sentence of the person to whom he referred, as having been found guilty of begging under a law now repealed. In reply to the statement of the hon. and learned Member for Belfast (Sir Hugh Cairns), he might observe that he thought the case which he had brought under his notice well worthy of consideration, and he should take care that it was duly investigated. He was of opinion that the Irish constabulary endeavoured upon the whole to discharge their difficult duties with great forbearance and moderation, although no doubt there were some instances in which their conduct stood in need of correction. He presumed that the letter which the hon. and learned Gentleman had read was written by Colonel Wood [Sir Hugh CAIRNS: Yes], and he should at once inquire into the matter to which it related. The remarks made by the right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside) had reference to the Dublin metropolitan police, which was a force entirely distinct from the constabulary; but he should write to the Commissioners on the subject of those remarks and take care that it was duly investigated. In answer to the hon. Member for Waterford (Mr. Blake) who had placed in his hands that morning a letter from the mayor of that city, alleging certain cases of hardship on the part of the constabulary, he had simply to say that the instructions issued to them enjoined on them the necessity of being as lenient as possible in the treatment of the prisoners committed to their charge. Those instructions might, of course, be infringed in particular cases, and he should take care when such cases were brought before him, as in the present instance, that they should be inquired into. He must, at the same time, remark that one of the constabulary regulations was, that although all rational allowance was to be made for the feelings of prisoners, yet that they might be handcuffed when to do so was necessary to their safe custody, as when a prisoner stood charged with any serious offence, and there was reason to apprehend that an attempt at rescue would be made. Those, however, were only extreme cases, and he was bound to say that he did not think the sweeping charges made by the hon. Gentleman would be exactly borne out.

THE LATE RAILWAY ACCIDENT.

OBSERVATIONS.

SIR LAWRENCE PALK said, he rose, pursuant to notice, to call attention to the fatal accident on the Great Western Railway, and to ask the President of the Board of Trade, if the Government will make inquiries with the view of ascertaining whether the safety of the public may not be better assured by legislative measures? He did not propose to go into the great question of general railway policy, but would confine himself to the consideration of the accidents which had occurred recently on the Great Western Railway, by which many lives were lost, and a great many persons seriously injured, and to the recommendations of the Committee which sat in 1858 to inquire into the subject of railway accidents. That Committee, in their Report, made two suggestions. Now, he thought, that he should be able to show that if these suggestions had been carried into effect in all human probability neither of those accidents on the Great Western Railway would have happened. The recommendations of the Committee were; first, that it should be imperative upon every railway company to establish a means of communication between the guards and the engine-drivers; secondly, that telegraphic communication should be established along the lines of railway, and the despatch of trains should be telegraphed from station to station. These were their main recommendations. As to the first, he had never heard any good reason assigned why a means of communication might not be established between guards and engine-drivers. On the continental railways the guards were able to pass along the sides of the carriages, and were able to see what was going on in each compartment at all times by day and night, and to communicate readily with the engine-drivers. He knew no reason why the same system should not be adopted in England; he had, indeed, heard that our stations were so constructed that it would be impossible to widen the platforms sufficiently to enable guards to pass with safety from one carriage to another. Even if that were the case, he thought it was the bounden duty of the Board of Trade, without interfering with the management of railways, to take such precautions as would ensure the safety of the passengers, and put a stop to those lamentable accidents which seemed to be very much on the increase, and to become more disastrous in the circumstances with which they were attended. If there were a difficulty in the widening of the platforms the companies should be compelled to surmount it. The railway interest was a vast monopoly. The companies having taking upon themselves the whole carrying trade of the country were bound to furnish the public with all the means of safety that could be obtained by prudent management. As to the second recommendation of the Committee of 1858, he thought he should be able to prove that if a proper telegraphic communication along the line had been established the disaster which had lately occurred at Rednall, on the Shrewsbury and Chester branch of the Great Western, would not have happened. [The hon. Baronet read from *The Times* newspaper portions of their account of this accident, and of the letter of "An Eye Witness."] It was apparent from these statements that want of punctuality, which seemed an indigenous vice in all railways, was the proximate cause of this disaster. In this accident the lives of between 800 and 900 individuals were placed in the greatest possible peril by this want of punctuality. The public had a right, therefore, to demand of the Board of Trade to enforce upon the railway companies the necessity of observing accuracy of time in the dispatch of trains. Recollecting, however, what took place at the commencement of the Session in reference to this subject, he was afraid that there was no inclination on the part of Her Majesty's Government to take steps to enforce the observance of those rules. When the Board of Trade was pressed upon this point, the right hon. Gentleman opposite (Mr. Milner Gibson) entered into a series of statistics to prove that very few deaths occurred in proportion to the number of passengers by railways throughout the year. Now it did not appear to him (Sir Lawrence Palk) that that was the point in question. The question really was, could railway travelling be made perfectly safe by proper regulations enforced by the Board of Trade. That was a question which the country had a right to demand. He came now to another accident of recent occurrence on the Great Western Railway, and it was a remarkable fact that within the last year or two the accidents on the Great Western Railway and its tributaries had become much more frequent than heretofore. How to account for this he could not say. He could only suggest that the servants of that company must be overworked, their engines worn out, or that proper precautions were not taken in the interests of the public. In this accident, which occurred between Salford and Keynsham, some five or six miles from Bristol, a stoppage took place, and the train was run into from behind by a fast train. The doors were locked on both sides, a proceeding which was contrary to law, and the passengers begged the guard to open them; but this was not done, the driver hoping to attain speed sufficient to get away from the approaching train. A commercial traveller in the last compartment, having a carriage key in his possession, opened the door, and with his immediate companions leapt on to the embankment, the narrowness of his escape being shown by the fact that a bandbox remaining on the very seat where he had been sitting was flattened like a piece of board by the concussion. He contended that it was the duty of the railway companies to surround the public travelling by their lines with every possible security, and, in providing those safeguards, that price ought not to be considered. If the railways of their own motion would not take the necessary steps, it was the duty of the Government, and the duty of that House, to see whether further legislation might not prove instrumental in lessening, if not in preventing, those frightful instances of loss of life and mutilation which now were of such frequent occurrence. It would not do for the right hon. Gentleman to get up in his place and say that, considering the number of passengers conveyed by railways, there were very few persons killed or injured. The hon. Baronet, in conclusion, asked the President of the Board of Trade, in the terms of his notice, If the Government will make inquiries with the view of ascertaining whether the safety of the public may not be better assured by legislative measures?

Mr. MILNER GIBSON said, he quite concurred with the hon. Baronet in thinking that all possible precautions ought to be taken to prevent accidents such as he had described ; but it did not follow that the remedies for the evils of which he complained were to be found in the clauses of an Act of Parliament. There were other ways of bringing about the practical results at which he aimed, and which were more likely to be successful than any attempt at legislation upon the management of railway travelling. The Act which was passed some years ago making railway companies responsible in damages for injuries caused by accidents increased the other inducements which existed to make the railway authorities adopt the best means for preventing these lamentable occurrences. The late accident was a most appalling event, but he really did not know how it could have been prevented by legislation. The facts were imperfectly known as yet, but the accident would appear to have arisen from the negligence of the plate-layers in lifting the plates without taking proper precautions. [Sir Lawrence Palk: The train was an hour late.] The Report forwarded to the Government attributed the accident to the plate-layers; but an Inspector had been sent down to the spot to inquire into the case, and no doubt the whole truth would be ascertained. Meanwhile, he repeated that he did not know how legislation could have prevented the accident. Looking at the enormous number of persons employed on the different railway systems, and the importance of every individual in his own particular branch attending to his duty punctually and faithfully on all occasions, it is not surprising that accidents did sometimes occur, depending, as they were obliged to do, to such an extent on human machinery, which was never infallible. The object was to employ as efficient persons as could be found under proper regulations. By making the employers responsible for the acts of their servants through the heavy damages whenever casualties occurred, the strongest possible obligation was placed upon railway directors to be careful in the selection of their servants, employing only respectable men, whose mental and physical powers were likely to make them good and faithful servants. He agreed with the hon. Baronet (Sir Lawrence Palk) in thinking that there ought to be communication between the guard and engine-driver; and this was actually in operation, he believed, on some of the principal lines. [Sir Lawrence Palk: Not on the Great Western.] The Great Western Company had undertaken to introduce the communication after a plan of their own ; but he believed the hon. Baronet was right in stating that on a great number of their trains it was not in operation. He believed it was not to be done by any mechanical means, but by placing some person in the train in such a position that he could catch the driver's attention. He had no hesitation in saying, as far as his own opinion and the opinion of the Inspectors of the Board of Trade were concerned, there was no mechanical difficulty in the way, and that communication between the guard and the driver might be adopted in all trains. He believed, also, that telegraphing was adopted to some extent. ["No!"]—he did not say universally, and that all the means which had been suggested for securing the safety of passengers were in process of adoption. It seemed, therefore, that the two recommendations of the Select Committee were in process of adoption, and it was not necessary to legislate on the subject, nor did he know what more the Government could do than they had already done. The present practice was, that when an accident took place a competent and disinterested person was sent to the spot to inquire into the cause. A Report was made which was laid before the House and published, and the public opinion of the country was thus brought to bear on the railway companies. If, when the cause of the accident was clearly pointed out, the companies failed to take steps to prevent similar occurrences in future, in case of injury to person or loss of life the damages might be proportionately increased. The hon. Baronet would probably be of opinion that the Commission might also inquire into the means of securing greater punctuality in the arrival and departure of trains. Under all the circumstances, then, it would be premature to engage to legislate on the subject. He believed that all the precautions which had been recommended ought to be adopted, and would be adopted ; and from all he could hear the companies would go even further than to secure the communication between driver and guard, and would establish communication between passengers and guard. Papers would very shortly be laid before the House, and then hon. Members could judge whether railway companies were serious in endeavouring this time to adopt those means of communication which were so much desired.

Sir LAWRENCE PALK: With regard to the doors being locked ?

Mr. MILNER GIBSON said, he knew nothing except what appeared in the newspaper report.

Sir LAWRENCE PALK: Is it legal?

Mr. MILNER GIBSON said, he did not know. He could not say at that moment. There might be a clause in some of the Acts of Parliament which forbade both doors being locked, and he was of opinion that both doors ought not to be locked.

ST. JAMES'S PARK.—QUESTION.

Sir WILLIAM FRASER said, that when permission to go through St. James's Park was given to hackney carriages a great boon was conferred on the public, and that permission had been largely made use of, particularly since the opening of the Victoria Station. There were, however, about twenty days in the year upon which St. James's Park was closed to public conveyances, either in the morning or evening—as, for instance, when drawing-rooms and levees were being held and when balls were given. Such was the case yesterday. A considerable number of persons on arriving at the Park gates were told that they could not go through, and they were obliged to go round by another way, thus losing much of their time. He wished to ask the Secretary of State for the Home Department, Whether, on occasion of the Park of St. James or other Royal parks being shut to vehicles, he will cause a printed notice to be posted at all Hackney Carriage Stands, and will order Police Constables to be placed at a convenient distance from the Park gates, to inform the public of the closing of the Park?

Sir GEORGE GREY said, that St. James's Park was never closed for the whole day, but only for a small portion of it, during a drawing-room or levée, when, of course, an accumulation of vehicles would produce great inconvenience. But the notice suggested was already given. Not only a day, but some days beforehand, large placards were posted giving directions as to the routes which carriages were to take, and notice that St. James's would be closed to ordinary vehicles during certain hours. All drivers of cabs, therefore, might be aware of the fact, and have no excuse if they did not know of the temporary closing of the route. With regard to the suggestion that policemen should be stationed at particular places he would consult the Chief Commissioner on the subject and see whether that could be done with a view to afford the fullest information to the public.

Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply — Civil Service Estimates — *Considered* in Committee.

Class IV. — Education, Science, and Art.

(In the Committee.)

(1.) £63,164, to complete the sum for the British Museum.

Mr. WALPOLE said, that the Vote which had been just put from the Chair was the difference between the money voted on account and the sum asked for in the Estimates, and he now rose to make the short statement usually made by Gentlemen who had the honour to fill the position which he now held. The Committee would observe, if they looked to the end of the Estimate, that between the sum voted in 1864-5 and that asked for 1865-6, there was a difference of £8,037, being an increase to that amount in the Estimate of the current year. This Estimate branched off into different portions—one relating to salaries, another to house expenses, a third to ordinary purchases, a fourth to extraordinary or special purchases, another to bookbinding and printing of catalogues, and another to buildings. The Committee would find an increase upon salaries and upon special purchases and catalogues, to both of which subjects he would presently call attention; but under some of the other heads the amount remained the same, under others there was a considerable decrease. The main increase was in the special purchases, and that was to be attributed to the fact that while last year only £2,200 was voted for that purpose, this year the item would amount to £7,600. Last year £500 was voted for excavations at Budrum; £1,000 for collections of human and animal remains, &c., from the South of France; and £700 for an antique bronze lamp found in Paris; making in all, under the head of special purchases, £2,200. This year the special purchases recommended to the Treasury would consist of some very valuable additions. The first sum under this head—£2,000—was to complete the purchase of five houses, so as to enable the excavations at Budrum to be continued under the superintendence of Vice Consul Billiotti, with a view to the recovery of large portions of the remainder of the tomb of Mausolus. It would add materially to a really valuable work if the expectations of the Trustees were realized by finding a great many interesting fragments of that tomb. Then, there was another item for the purchase of the most valuable mineral collection of Colonel Kokschakoff, of St. Petersburgh, consisting of specimens found in Siberia, and the North of Europe, for which £1,600 had been given; and he was told—for he spoke not from his own knowledge, but from the information of others—that that purchase, added to previous purchases, had actually made our mineralogical collection one of the best in the world. Then, a still larger sum was asked for the purchase of certain articles in two great collections which were offered for sale during the current year—the one was the Pourtales and the other the St. Angelo collection. With regard to the Pourtales collection, instead of frittering away the money at their disposal in the purchase of many small articles, the Trustees determined to expend the larger amount in the purchase of that which was recognized as a *chef d'œuvre*, the head of Apollo. That work of art, with some others, was accordingly secured for the Museum. The St. Angelo collection was bought in, and consequently the £2,000 which the Government sanctioned for that purchase would no longer be required, and the Vote put from the Chair would to that extent be reduced. As to the increase in the other items of the Museum Estimate, the most important was in the catalogue, which had been defective in two important particulars. The Hebrew books in the library were ill-catalogued, and those gentlemen—no doubt they were not very numerous—who applied their studies in that direction, found it a matter of primary importance that there should be a good catalogue of those books. For that purpose £400 was taken in the Estimates, and £800 for catalogues, drawings, and engravings, of and from the coins and medals. If this latter work could be well accomplished, the result would be a valuable addition to the materials for history—because there was hardly any illustration of historical events so accurate as that which is supplied by coins and medals. During the year additions had been made to the Museum in all its departments, but three of these deserved special attention. In the department of Sculpture the Trustees had not only secured the head of Apollo, which he had just mentioned, but also a figure of Mercury, and an admirable copy from that which was believed to be a work of Polycleitus. So much for the antiquities. As to the Numismatic department, it was his pleasing duty to acquaint the House that last autumn Mr. Edward Wigan had made a munificent offer to the Trustees of a choice collection of antique gold coins, running over all the periods of the Empire, from the first Cæsar to the last. Every one of these coins was in the most perfect preservation, and no fewer than 223 of them were coins which were not before in the Museum. The value of this collection was estimated at between £5,000 and £6,000. The Natural History department was a very extensive one, but hitherto it had been deficient in specimens of the Natural History of the Holy Land. Recently, however, great exertions had been made to get from the lakes and seas of that part of the world specimens of the fishes. Collections of the birds and animals from Palestine were also being made, and those additions illustrative of the natural history of the Bible were most interesting to all; for all have an interest in that which throws light on the history or production of that sacred country. He did not think he had anything more to add upon these Estimates, which were prepared with a view to make the Museum one of the most complete and valuable institutions of the kind in existence, and the only question that could arise was whether the Trustees were justified in adding to the collection to the extent of the additions made in the course of the last few years, when there was not the accommodation which he had often had occasion to deplore, and which he still did deplore as totally insufficient for the proper exhibition of them. Upon that point, he had only to say that if the opportunity of making these purchases were let slip, it probably never would occur again; and he thought, therefore, that the Trustees would be neglecting their duty if they did not take advantage of such opportunities. With regard to the accommodation, that is a subject which would properly come before the House upon a distinct Motion. The Trustees had constantly applied to the Treasury for the means of providing adequate accommodation for these magnificent collections. He would not now enlarge upon the difficulties which had arisen upon this point during the last five or six years—difficulties beyond those, perhaps, which had been apparent to the House. At the present moment, certain plans had been sent by the Government to the Trustees for lodging the Natural History collection separate from the other collections. Of those plans one was approved by the Trustees as being the most suitable, but the Government, on consideration, thought that another would be better amalgamated with the first, and that question would be determined at a conference which would take place next week, between the Trustees and the Chief Commissioner of Works. He hoped and believed that the Committee would not object to the Vote which he had the honour to propose, and next year he trusted that the new Parliament would take in hand the all-important question of additional space for the proper exhibition of these collections, and that the Government would be ready with plans which might receive the sanction of the House.

Mr. AYRTON thought that the Trustees were so wrapped in the affairs of antiquity that they neglected considerations applicable to the present day. It would be much better if, instead of directing their attention to collecting the remains of the Mausoleum, they would turn it to the relations of the Museum to the British public. It was undoubtedly desirable that the Museum should be a choice collection, interesting to persons of high education, and gifted with a knowledge of art; but it was also desirable that the Museum should interest comparatively uneducated people, and unfortunately the Trustees kept it shut during that part of the day when the largest number of people could alone visit it. He wished to know whether the Trustees could not arrange for the opening of the Museum in the evening, as was done at South Kensington. He could not understand why they should have one Department of the Government declaring that it was quite practicable to open for public view collections in the evening without risk, and another Department declaring that such a proceeding was fraught with the utmost danger. He should be glad to know whether the Trustees of the British Museum had considered this matter during the past year, and he also desired to learn whether they had taken any steps to secure ground around the British Museum from the ground landlord so as to admit of the extension of the building in future. It was to be deplored that the question had remained open so long, because the sooner it was dealt with the greater would be the economy to the public, and the nobleman to whom the property in that neighbourhood belonged would, no doubt, be prepared, if properly approached, to deal with the matter as one of national interest and in a way becoming his high station. Any immediate sacrifice in giving ground for the extension of the British Museum would in the end have the effect of generally improving the value of the adjoining land.

Mr. GREGORY wished to know if the Government intended to propose any plan or to take any steps whatever to remove the Natural History collection from Bloomsbury to some other place. As to the question of duplicates, Mr. Panizzi was of opinion that in respect to books there were but very few, and there were objections to part with them, and he (Mr. Gregory) would not, therefore, raise any question as to them; but as regarded the duplicates of works of art and antiquities the Museums of Dublin and Edinburgh, and, indeed, others in the United Kingdom, would be glad to profit by them. This was not only his own opinion, for Professor Owen had distinctly told him that he could make up from the chaos of specimens now in the British Museum collections which would be extremely valuable to local institutions in the country. As far as Dublin was concerned, he knew they would be received with thankfulness. If the Royal Dublin Society was not considered a national institution these specimens might be lent to it, or if sufficiently national handed over to it, and the general advantage would be so great that he should be glad to know if the Government since he had last mentioned the subject had taken it into consideration. The articles discovered in Camirus were numerous and interesting, and specimens would be thankfully received by the local institution.

MR. WATKIN said, it was a somewhat startling fact that notwithstanding the increase of the population of London and the greater influx of strangers, the number of visitors to the British Museum appeared to be falling off. He thought it was incumbent on the Government and the Trustees to show that this arose from no want of proper accommodation. In 1859 the total number admitted to view the general collection, exclusive of readers, was 517,000 ; in 1860 it was 536,000 ; in 1861 the number was 641,000; in 1862, which was an exceptional year, as it was the period of the Great Exhibition, the number was 895,000 ; but in 1863 and 1864 it was only 440,000 and 432,000 respectively. Those figures showed that there must be some reason why only so small a portion of the people resorted to so useful and glorious an institution. With respect to the working classes, it was only those out of employment that could visit the British Museum during the hours it was open, and to the employed working people the place was practically closed. Surely there might be arrangements made whereby the admission of the working classes might be made real instead of nominal.

SIR HARRY VERNEY said, he would be extremely glad to hear that the Government would take into consideration the suggestion of the hon. and learned Member for the Tower Hamlets. If property were taken for the increase of the British Museum the houses might be let until their space was wanted. There would thus be no immediate loss ; and he also thought that the question should be considered whether the British Museum might not be opened at hours when the working classes of the metropolis could visit the admirable collections which it contained.

THE CHANCELLOR OF THE EXCHEQUER said, that with respect to the question of opening the British Museum at evening hours, when it might become a place of general resort for the working classes, he was bound to declare that too much responsibility ought not to be laid on the Trustees of the British Museum. He considered that the duties of a body like the Trustees had much more reference to the general good government and discipline of the institution, to the progressive extension of its collections, and to the improvement of the general rules on the present basis for the admission of the public, than to the introduction of any fundamental change or re-construction of the system at a large expense to the public. He did not say this in order to make light of the observations of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), for he frankly owned that the more he considered the question of opening these public institutions the more he was driven towards—he did not say to, but towards—the conclusion that evening openings involved not a portion but the whole of the subject as regards the mass of the population. The great collections of the country could hardly be said to exist for the great mass of the population. On the other hand, the question was a very large one. It was not merely a question of a certain addition to the present establishments, but it involved considerations of the greatest importance with regard to the improvements which might be requisite in the building, both there, at the National Gallery, and elsewhere, in order to give complete security to the collections in the event of their being opened in the evening. It was not the British Museum only that was concerned, but likewise other public institutions ; and it would become necessary to have the matter very carefully examined by Parliament to ascertain what measures and what expense would be needed to secure to the mass of the population of London that great boon—a boon which did not involve so much the extension of the Museum as their admission to it, because it amounted at present very much to a question of their practical exclusion. The hon. and learned Member for the Tower Hamlets wished to know whether any overtures had been made to the Duke of Bedford with a view to the enlargement of the Museum on its present site. His hon. Friend was exceedingly sanguine on that subject, and took a rather romantic view of the position of that nobleman. His Grace, however, and those who managed his estates, must be aware not only that

that question had been in agitation for many years, but that one of the main reasons for the abandonment some time ago of the idea of an indefinite extension of the institution on the present site was the great cost of the ground, and that a body of the Trustees which considered the matter framed an Estimate which put the expense of such an extension at about £50,000 per acre for the land. These facts being notorious they had certainly no indication of any disposition on the part of the great neighbouring proprietor to accept less than the fair market price for his land if required for the purposes of the British Museum. Nor, indeed, had the public the smallest claim upon him to do so. True, his hon. Friend thought the extension of the Museum would enhance the value of the rest of his Grace's adjacent property; but that was only an opinion, the truth of which was not at all self-evident. At any rate, if the House decided that there should be a large addition to the British Museum on the present site, they must not assume that they would be able to purchase the ground under the exceptionally favourable circumstances imagined by the hon. Member for the Tower Hamlets. But the question was not one that could be wisely opened at that moment; and, moreover, he was inclined to be altogether sceptical as to the doctrine intimated on that and other occasions by his hon. Friend — namely, that, in the case of an establishment like the British Museum, originally of moderate dimensions, and comprising a great many branches, some of them not bound by any very natural or close relations to each other, no matter what might be the increased population or the altered circumstances of that metropolis, they were to go on making vast and indefinite extensions on the present site. He was not going back to any question about South Kensington, which was not then before them. They had contracted engagements as to South Kensington, and at the proper time the House would have to consider whether any and what measures should be taken in respect to those engagements. But he now contested the doctrine of an indefinite extension of that institution on that one spot, and thought it extremely doubtful whether by that plan they would give the greatest command of those collections to the vast and growing population of London and to the increasing stream of visitors constantly flowing into it. He did not believe it would be right to say to the people of that metropolis and the public generally, "Whatever facilities of access or otherwise may be given to another site which may not be partaken of by the present site, whatever may be the future extension of London—an extension which, though long begun, is probably far from ended —whatever changes time may produce, we shall tie you down to this particular spot, and if you want to see an establishment containing antiquities, works of art, and specimens of natural history, hither shall you come, and hither only, be your place of abode three, or five, or seven miles distant." The principle of diffusion, reasonably applied, within certain proper and well defined limits, appeared to him on the face of it a more rational principle than that laid down by his hon. Friend. With regard to the question put by the hon. Member for Galway (Mr. Gregory) as to whether it was in the power of the Government to submit a proposal to the House for affording increased accommodation for the Natural History Collection, the Department over which his right hon. Friend near him (Mr. Cowper) presided had not yet been able to arrive, in communication with the Trustees of the Museum, at such an understanding with reference to any building to be erected on a new site as would justify the Government in coming with plans before the House. It might be possible, physically speaking, for them to do so before the present Session ended; but he did not think it would be convenient to have a question of that kind decided at any period except when the House was fully attended, and able to give it that amount of attention which it undoubtedly required. They had not made any overtures to the Duke of Bedford, and he was very doubtful about the expediency of making them. A plan by which the Government should purchase property covered with houses and remain the owner or lessor of those houses, applying from time to time such portions of their sites as might be thought fit for the purposes of the British Museum, was one of the worst species of administrative arrangements he had ever heard proposed. Whatever plausible arguments might be urged in its favour would not stop with the case of the British Museum; but if the Government were to become speculators in house property, buying up houses before it actually wanted them, in order to get them cheaper there would not be ten, or twenty, or even fifty instances only in which they would have to consider the application of that principle. No doubt the State might often make economical investments of that kind; but he did not think it desirable that it should assume the position of temporary landlord without having a fit organization for discharging such duties. In his opinion the best and wisest course was for the Government, as a general rule, to buy the land which it wanted and at the time when it wanted it. With respect to the figures adduced by the hon. Member for Stockport (Mr. Watkin) as to the decreasing attendance at the British Museum, he confessed that they were not without significance in another point of view besides that from which the hon. Gentleman had quoted them; but the fact that there was such a falling off in the numbers resorting to that institution at a period when the Trustees were showing every anxiety to improve the general arrangements for the convenience of the public, and when, moreover, the visitors to the metropolis were increasing in a rapid ratio from year to year, in his mind did something to qualify the very sanguine estimates formed by some hon. Gentlemen as to the paramount and extraordinary advantages of the present site of that establishment.

MR. WALPOLE said, he entirely concurred in what had fallen from the Chancellor of the Exchequer as to the inexpediency of bringing forward at the end of an expiring Parliament any plan for the decision of the important question as to the future distribution and management of the collections at the Museum, which must raise a good deal of discussion. The Government, he thought, had acted wisely in postponing the consideration of what should be the mode of providing that accommodation until the commencement of next Parliament. Meanwhile, he hoped the Trustees and the Government would arrive at some definite plan. Whatever his own individual opinion might be, he should feel it his duty to support the plan which might be agreed upon by the Trustees. The hon. Member for the Tower Hamlets had very naturally returned to the charge which he has often made before—namely, that the working classes in the metropolis should be enabled to see more of the collections at the Museum than they could now do. Similar observations had been made the other night with respect to the National Gallery, and the Chief Commissioner of Works then made what he (Mr. Walpole) thought a very sensible, pertinent, and forcible observation, which was equally applicable to the British Museum. He did not despair, he said, among all the improvements going on in this age, that means might be found to prevent the deleterious effects of the effluvium from gas; but till those means had been discovered he thought the Trustees would be guilty of a breach of duty if they consented to expose the valuable collections intrusted to their care to such peril as it was admitted they would incur by being exhibited in gas light. Nor is it to be forgotten that the risks of fire would be dangerously increased. The time might arrive when they would be enabled to reduce these risks to a minimum, and he should then be extremely glad if the hon. Member's views could be realized with safety. He must also warn the House, that if the Museum were lit by gas, they would have to consider the necessity of doubling the expense. His own notion was that, looking to the early closing movement on Saturday, and the holyday usually taken on Monday by many of the working artizans, arrangements might be made on those two days for more effectually enabling such persons as were employed in hard labour during the greater part of the week to go and see the Museum than they could by opening it on the Sunday evening, or at a later hour on weekday evenings. Three or four years ago the experiment was tried of keeping open the Museum till eight o'clock on Saturday night in the belief that great numbers would attend; but the failure was complete, and it was not worth while to continue the experiment. With respect to opening the Museum on Sunday, this was not the time for offering any opinion upon it. That was a question for the House to determine, in connection with a variety of important considerations which could not be overlooked. The hon. Member for Galway (Mr. Gregory) had referred to the subject of duplicates, a matter undoubtedly of very great importance. The hon. Member said we had got plenty of duplicates; but the fact was that if by duplicates were meant identical articles, we had hardly any duplicates at all. There might, perhaps, be some duplicate volumes of books; but not so many as would at first sight appear. The supposed duplicates are often new editions; and it was of paramount importance to possess all the editions of interesting works, and the National Museum was the proper place where they ought to be collected. With regard to duplicates of sculpture we had very few of them; none of the fine works. There were, however, a good many things that might, perhaps, be parted with. The difficulty in doing so was the stringent character of the present Acts of Parliament. The Chancellor of the Exchequer would, he hoped, turn his mind to this point, namely, how far it would be advantageous to alter the present Acts so as to give, within certain limits, greater power of exchanging, selling, or parting with duplicates, or with things which were not wanted. That would be a very proper question to take up in connection with a Bill having reference to the management of the collections in the Museum. He did not know that he had omitted to notice any topic which had been suggested, and he hoped the House would now accede to the Vote.

Vote *agreed to.*

REVENUE DEPARTMENTS.

(2.) £773,009, Customs Department.

(3.) £1,284,157, Inland Revenue Department.

(4.) £2,121,478, Post Office Department.

COLONEL SYKES complained that many districts in the country were at present insufficiently accommodated by the Post Office. It appeared to him that the public requirements ought to be met before any revenue derived from the Post Office was considered disposable by the Exchequer.

THE CHANCELLOR OF THE EXCHEQUER quite agreed with his hon. and gallant Friend that the wants of the public should be considered and that only the surplus should be treated as revenue; but those wants must mean the reasonable wants of the public. This was not so easy and simple a matter as might appear at first sight. It was necessary to do justice as between town and country. It was all very well for gentlemen who lived out of the way to say nothing was done for thinly peopled districts. But that must be taken with some limits. They levied taxation on the towns and spent it, not for the benefit of the thickly but of the thinly peopled districts. There was something in the sound, and, he might say, the flavour of his hon. and gallant Friend's observations that required a word of caution.

MR. SCOURFIELD hoped the Chancellor of the Exchequer would take into consideration what he had urged at an early period of the Session—the expediency of stating clearly in the little annual Abstract the exact amount of revenue and expenditure of the Post Office one year with another. There was a general idea that the revenue was much larger than that actually derived, and hence arose the increased applications which were made to Government on that account.

THE CHANCELLOR OF THE EXCHEQUER understood the hon. Gentleman to refer to the quarterly Abstract laid on the table setting forth the Revenue and Expenditure of the country, and what was asked was that the revenue, instead of being stated in lump for all the Departments, should be separately exhibited at its actual amount for each. He thought the suggestion a useful one, and might tend to prevent misapprehension in the public mind.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £841,867, be granted to Her Majesty, to defray the Charge of the Post Office Packet Service which will come in course of payment during the year ending on the 31st day of March 1866; no part of which sum is to be applicable or applied in or towards making any payment in respect of any period subsequent to the 20th day of June 1863, to Mr. Joseph George Churchward, or to any person claiming through or under him by virtue of a certain Contract, bearing date the 26th day of April 1859, made between the Lords Commissioners of Her Majesty's Admiralty (for and on behalf of Her Majesty) of the first part, and the said Joseph George Churchward of the second part, or in or towards the satisfaction of any claim whatsoever of the said Joseph George Churchward, by virtue of that Contract, so far as relates to any period subsequent to the 20th day of June 1863."

MR. CRAWFORD said, he wished to ask the right hon. Gentleman the Secretary of the Treasury for some information with reference to an application made to the Postmaster General by merchants and other persons connected with Eastern commerce upon the subject of the despatches conveyed from this country to the Eastern part of the world. That representation of the inconvenience attending the present system was made in the month of January last. The mails were now despatched, as regarded Marseilles, on the 3rd, 10th, 18th, and 26th of each month; but as those days fell, of course, on different days of the week, on some of which communications could not be advantageously forwarded, the commercial world was not only exposed to great inconvenience, but to a considerable loss of time. It was of importance that the letters despatched from this country should convey intelligence up to the latest period; but the present arrangement altogether ignored the fact that certain days of the week might be regarded as *dies non.* On Saturday and Monday, for instance, but little business was transacted. The memorial to which he had referred had received the assent of almost every mercantile and banking establishment engaged in banking or exchange operations with the Eastern part of the world. The object of the representation was to obtain the sanction of the Government to the despatch of the mails on the Friday in every week instead of the present inconvenient arrangement. He had every reason to believe that this inconvenience was acknowledged by the Postmaster General; but to effect the change which was so unanimously desired, it was proposed to increase the postage of letters to India *viâ* Marseilles from the present rate of 10*d.* to 16*d.* So large an increase, however, appeared to be calculated to defeat the object which the memorialists had in view. He might add that the memorial presented to the Postmaster General had been warmly supported by the various Chambers of Commerce in India. He thought, however, that it was hardly fair that the whole of the charge consequent upon a new system of communication should be borne by those engaged in trade with India. In a couple of years' time, when the railway between Bombay and Calcutta will be completed, a portion of the subsidy paid to the Peninsular and Oriental Company might be dispensed with, and it was but fair that the Government, in endeavouring to give effect to the wishes of the memorialists, should bear this fact in mind. Australia, too, was much interested in this matter, and when the Government remembered the extent of our communication with that country, and the relations which existed in many instances between the lower classes, separated by so great a distance, it was all the more incumbent upon them to endeavour to remedy the defects in the present system. He should be glad to hear from the Secretary of the Treasury that the Government were prepared to deal with this question in a liberal spirit.

MR. AYRTON said, he had been so struck with the defects of the present system and the necessity for a re-organization that he had given notice for the appointment of a Committee to inquire into the subject; but owing to the delay which attended the furnishing of the requisite papers and other circumstances, he had been unable to bring the subject under the consideration of the House. Even now, when the matter was mentioned in the House, he was sorry to find that the Secretary of State for India was in such a condition that he was unable to attend, and that they were, therefore, deprived of the opportunity of giving the subject that attention which it deserved. Though the remarks of the hon. Member for the City of London (Mr. Crawford) were perfectly just, he hardly thought that they went deep enough, for the whole system of communication was, in his opinion, eminently deficient from beginning to end. The communication was so slow as to be exceedingly discreditable to the Post Office and the Government. The communication between England and Bombay ought to be accelerated until the mails were conveyed in sixteen days. Every additional day only exhibited an incapacity on the part of the Government to grapple with the case. The right which some Continental States exercised of intercepting and levying tolls upon communications between neighbouring countries could not be viewed in any other light than as a remnant of the Middle Ages, when the barons regarded the pillage of merchants from their castles on the Rhine as their especial privilege. In this case no service was asked nor was any rendered. The utmost cost of conveying letters from Ostend to the remotest port of Europe must be less than a halfpenny per ounce, and that was the utmost sum which the Post Office ought to pay for the transport of letters from England to the shores of the Mediterranean. If the Post Office conducted its affairs in a spirit of intelligence, such as had marked some recent transactions in other public Departments, as in the case of the Commercial Treaty with France, negotiated by Mr. Cobden, the other States would not be allowed to levy a toll upon the boxes of letters passing through their limits. The present state of things was an illustration of the unsatisfactory condition of the Post Office Department, and how unfit it was to deal with great subjects. It was true that at present we were in a transition state as regarded our Indian communications, because of the changes which were occurring in the opening up of new Mediterranean ports; but he did not find that the Government had attempted to deal with the subject in a serious spirit. He might proceed to point out other defects, but he felt that the Government by delaying the production of papers had practically prevented the House from instituting that searching inquiry which was absolutely necessary, and he feared that they were endeavouring to stave off the difficulty for a time by arrangements which would ultimately be found to interfere with a permanent and satisfactory settlement of the question. When the Committee were told that the extravagant and almost prohibitory rates of postage to India which had been mentioned were necessary, he was convinced that the Government was not dealing with the subject in a satisfactory manner; as he was convinced that if it were considered in a comprehensive spirit a reduction and not an increase in the rates of postage would be practicable. As long as the present system of making arrangements of a limited character was adhered to so long the service would be costly and inefficient. Although they were daily hearing of vessels constructed to run sixteen or seventeen knots an hour, the vessels employed in the Bombay and Suez line, where speed was urgently needed, did not average above nine knots. That showed the necessity for inquiry; and although he had been foiled in the present Session, yet if he had the pleasure of sitting in that House in the next Parliament he would propose the Motion for a searching inquiry into the whole of this important subject. In connection with that subject, he might mention one matter which had an important bearing. While the Post Office was subsidizing a line of steamers to India, the Secretary of State for India was about to set up a rival line, and, of course, all the military and other servants of the Government, who would be passengers by those steamers, would be lost to the Peninsular and Oriental Company, who consequently would require a large amount of subsidy for the conveyance of the mails. Although prevented from pursuing this subject further in the present Session, he hoped that in the next Parliament a searching inquiry would be instituted, and he had no doubt the result would be to prove that the wishes of the hon. Member for London might be gratified without any loss to the country.

COLONEL SYKES said, the Government had to provide transport to India for 7,000 troops annually for reliefs, and for a similar number returning home, besides invalids and time-expired men. The hon. and gallant Member was proceeding to comment upon the Secretary of State's plan for sending out troops to India by Government transports *viâ* Egypt when—

Notice taken that 40 Members were not present, — Committee counted, and 40 Members not being present:

Mr. Speaker resumed the Chair:—House counted, and 40 Members not being present:

House adjourned at Nine o'clock, till Monday next

END OF VOLUME CLXXIX.

[APPENDIX.

APPENDIX.

UNION CHARGEABILITY BILL.

HOUSE OF COMMONS, MONDAY, MAY 15, 1865.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [11th May], "That Mr. Speaker do now leave the Chair;" and which Amendment was, to leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Thompson,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question:"

Question put:—The House *divided:* Ayes 266, Noes 93.—[*See page* 371.]

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Adam, W. P.
Adderley, rt. hon. C. B.
Adeane, H. J.
Agar-Ellis, hn. L. G. F.
Andover, Viscount
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Anstruther, Sir R.
Antrobus, E.
Athlumney, Lord
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Baring, H. B.
Baring, T. G.
Barnes, T.
Barttelot, Colonel
Bathurst, A. A.
Baxter, W. E.
Beale, S.
Beaumont, W. B.
Beecroft, G. S.
Berkeley, hn. Col. F. W. F.
Berkeley, hon. C. P. F.
Bernard, T. T.
Black, A.
Blake, J. A.
Bonham-Carter, J.
Bramley-Moore, J.
Bromley, W. D.
Browne, Lord J. T.
Bruce, Lord C.
Bruce, Lord E.
Bruce, rt. hon. H. A.
Buckley, General
Bulkeley, Sir R.
Buller, Sir A. W.
Bury, Viscount
Buxton, C.
Caird, J.
Calthorpe, hon. F. H. W. G.
Cardwell, rt. hon. E.
Castlerosse, Viscount
Cave, S.
Cavendish, Lord G.
Cheetham, J.
Childers, H. C. E.
Churchill, Lord A. S.
Clay, J.
Clifford, C. C.
Clifton, Sir R. J.
Clive, G.
Colebrooke, Sir T. E.
Collier, Sir R. P.
Collins, T.
Cowper, rt. hon. W. F.
Cox, W.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Denman, hon. G.
Dent, J. D.
Dillwyn, L. L.
Dodson, J. G.
Douglas, Sir C.
Doulton, F.
Duff, M. E. G.
Duff, R. W.
Duke, Sir J.
Dundas, rt. hon. Sir D.
Dunkellin, Lord.
Egerton, hon. A. F.
Egerton, E. C.
Elphinstone, Sir J. D.
Enfield, Viscount
Evans, T. W.
Ewart, J. C.
Ewart, W.
Ewing, H. E. Crum-
Fenwick, E. M.
Fermoy, Lord
Finlay, A. S.
Fitzroy, Lord F. J.
Fitzwilliam, hn. C. W. W.
Foley, H. W.
Foljambe, F. J. S.
Forster, W. E.
Foster, W. O.
Fortescue, hon. F. D.
Fortescue, rt. hon. C.
Franklyn, G. W.
French, Colonel
Gaskell, J. M.
George, J.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W.
Glyn, G. G.
Goldsmid, Sir F. H.
Goschen, G. J.
Gower, hon. F. L.
Gower, G. W. G. L.
Greaves, E.
Greenall, G.
Greene, J.
Greenwood, J.
Gregory, W. H.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Gurdon, B.
Hadfield, G.
Hamilton, Viscount
Handley, J.
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Headlam, rt. hon. T. E.
Henderson, J.
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Hibbert, J. T.
Holland, E.
Hornby, W. H.
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Howard, hon. C. W. G.
Hubbard, J. G.
Humphery, W. H.
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Jolliffe, H. H.
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King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
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Kinnaird, hon. A. F.
Lacon, Sir E.
Laird, J.
Layard, A. H.
Langton, W. H. G.
Lawrence, J. C.
Lawson, W.
Leader, N. P.
Lefevre, G. J. S.
Lee, W.
Legh, Major C.
Lever, J. O.
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Liddell, hon. H. G.
Locke, J.
Lyall, G.
M'Cann, J.
MacEvoy, E.
Maguire, J. F.
Malcolm, J. W.
Manners, Lord G. J.
Marjoribanks, D. C.
Martin, P. W.
Martin, J.
Matheson, Sir J.
Miller, W.
Mitchell, T. A.
Mitford, W. T.
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Montgomery, Sir G.
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Mowbray, rt. hon. J. R.
Neate, C.
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Onslow, G.
Padmore, R.
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Paget, Lord A.
Paget, Lord C.
Palmer, Sir R.
Peel, rt. hon. Sir R.
Peel, right hon. F.
Peel, J.
Pender, J.
Peto, Sir S. M.
Pilkington, J.
Pollard-Urquhart, W.
Ponsonby, hon. A.
Portman, hon. W. H. B.
Potter, E.
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Repton, G. W. J.
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Shelley, Sir J. V.
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Smith, A. (Truro)
Smith, J. A.
Smith, J. B.
Smollett, P. B.
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Stansfeld, J.
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Stewart, Sir M. R. S.
Stuart, Colonel Crich-
Stuart, Lt.-Colonel W.
Sykes, Colonel W. H.
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Tottenham,Lt.-Col.C.G.
Tracy, hon. C. R. D. H.
Turner, J. A.
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Vandeleur, Colonel
Verney, Sir H.
Vernon, H. F.
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Wrightson, W. B.
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Wyndham, hon. H.
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Brand, hon. H. W. B.
White, Colonel

NOES.

Archdall, Captain M.
Bathurst, Colonel H.
Beach, Sir M.
Bentinck, G. W. P.
Bentinck, G. C.
Benyon, R.
Blackburn, P.
Booth, Sir R. G.
Bremridge, R.
Bridges, Sir B. W.
Brooks, R.
Bruce, Sir H. H.
Burrell, Sir P.
Clifford, Colonel
Clive, Capt. hn. G. W.
Cole, hon. J. L.
Corry, rt. hon. H. L.
Dering, Sir E. C.
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Hartopp, E. B.
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Holmesdale, Viscount
Hotham, Lord
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Humberston, P. S.
Hunt, G. W.
Ingestre, Viscount
Jervis, Captain
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Knight, F. W.
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Sturt, H. G.
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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CLXXIX.

THIRD VOLUME OF THE SESSION 1865.

Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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Church Rates Commutation Bill
(*Mr. Newdegate, Lord Robert Montagu*)
c. Motion, "That the Bill be now read 2°" (*Mr. Newdegate*) *May* 10, 74
  Amendt. to leave out "now," and add "upon this day six months" (*Sir C. Douglas*)
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c. Ordered *May* 11, 173
  Read 1° *May* 15, 373 [Bill 147]
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(*The Lord President*)
l. Presented; read 1ª *May* 19, 560 (No. 111)
  Moved, "That the Bill be now read 2ª" *May* 26
  Read 2ª, after short debate, 872
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  Amendts. reported *May* 30, 1045 (No. 138)
  Read 3ª *June* 1; Amendts. made; Bill passed, 1117
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Colonial Bishops—See of Rupert's Land
Question, Mr. Grant Duff; Answer, Mr. Cardwell *May* 30, 1100

Colonial Defences
Question, Mr. Warner; Answer, Mr. Cardwell *May* 30, 1105

Colonial Governors (Retiring Pensions) Bill
(*Mr. Dodson, Mr. Cardwell, Mr. C. Fortescue*)
c. Read 1° * *May* 9 [Bill 133]
Read 2° after long debate *May* 29, 1019

Colonial Laws Validity Bill
(*Mr. C. Fortescue, Mr. Secretary Cardwell*)
c. Ordered; read 1° *May* 29, 1042 [Bill 183]

Colonial Marriages Validity Bill
(*Mr. C. Fortescue, Mr. Secretary Cardwell*)
c. Ordered; read 1° *May* 29, 1042 [Bill 184]

Colonies, Protection of the
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Commissioners of Supply Meetings (Scotland) Bill
(*Mr. Finlay, Sir G. Montgomery, Sir W. Scott*)
c. Committee *; Report *May* 10 [Bill 102]
Committee * (*re-comm.*); Report *May* 15
Read 3° * *May* 19 [Bill 136]
l. Read 1ª * (*The Earl of Airlie*) *May* 22
Read 2ª * *May* 30 (No. 118)
Committee *; Report *June* 1
Read 3ª * *June* 2
Royal Assent *June* 19 [28 *Vict.* c. 38]

Companies Workmen's Education Bill
[H.L.] (*The Lord Archbishop of York*)
l. Presented; read 1ª * *May* 11, (No. 102)
Read 2ª and committed *May* 18, 483
House in Committee *May* 23, 718
Amendts. made (No. 121)
Amendts. reported *May* 29, 953
Moved, to omit Clause 1, and insert another Clause in lieu thereof (*The Lord President*), 953
On Question, that Clause 1 stand Part of the Bill; Cont. 53, Not-Cont. 38; M. 15; List of Cont. and Not-Cont., 956
Read 3ª after short debate *May* 30, 1045
Royal Assent *June* 29 [28 & 29 *Vict.* c. 78]

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(*Sir Robert Peel, Sir George Grey*)
c. Motion, "That Mr. Speaker do now leave the Chair" *May* 29, 978
Amendt. to leave out from "That" and add "The Bill be committed to a Select Committee" (*Mr. William Ormsby Gore*)
Question, "That the words, &c.;" after debate, Amendt. withdrawn; Main Question agreed to; Bill considered in Committee
After long debate, Bill reported *May* 29 [Bill 178]

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Question, Mr. Whiteside; Answer, Sir George Grey *June* 8, 1269

CORK, Earl of
Dogs Regulation (Ireland), 2R. 1044

Coroners (Ireland) Bill
(*Colonel Dickson, Mr. Hennessy*)
c. Ordered * *May* 18
Read 1° *May* 19, 620 [Bill 161]

Dockyard Extensions Bill
(*Lord Clarence Paget, Mr. Childers*)
c. Ordered; read 1° *May* 12, 260 [Bill 145]
Read 2° after debate *May* 18, 540
Motion, "That Mr. Speaker do now leave the Chair" *May* 26, 948
Amendt. to leave out from "That" and add, "in the opinion of this House, the expense of the Contracts for Dockyard Extensions to be authorised by this Bill would best be defrayed by Terminable Annuities, as in the case of the Fortifications under the Act 26 & 27 *Vict.* c. 80" (*Sir James Elphinstone*)
Question, "That the words, &c.;" after debate, agreed to; Main Question agreed to; Bill considered in Committee and reported, 948
Read 3°* *June* 1
l. Read 1ª* (*The Duke of Somerset*) *June* 2 (No. 143)

Dockyard Extensions
Observations, Sir Morton Peto; Reply, Lord Clarence Paget; debate thereon *May* 29, 1036

Dodson, Mr. J. G. (Chairman of Committees), *Sussex, E.*
Bank Notes Issue, Re-Comm. 826
Dogs Regulation (Ireland), Comm. *cl.* 6, 480, 482
Partnership Amendment, Comm. *add. cl.* 538
Roach River Fishery, 2R. 1263
Supply — Woods, Forests, &c. 705, 709;—Department of Science and Art, 1164;—Consular Establishments Abroad, 1285, 1286, 1287
Union Chargeability, Comm. *add. cl.* 521

Dogs Regulation (Ireland Bill
(*Sir Robert Peel, Mr. Luke White*)
Read 2°* *May* 12 [Bill 127]
Bill considered in Committee *May* 17, 480
After debate, Committee report Progress
Committee; Report *May* 22, 716
Bill, as amended, considered *May* 25, 859
Read 3°* *May* 26
. Read 1ª* (*The Lord Steward*) *May* 29 (No. 129)
Read 2ª after short debate *May* 30, 1044
Committee*; Report *June* 2

Donoughmore, Earl of
Edmunds, Leonard, Resignation of—Pension, Res. 43
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Mortgage Debentures, 2R. 719
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Douglas, Sir C. E., *Banbury*
Army—Case of Lieut.-Colonel Dawkins, 661
Church Rates Commutation, 2R. Amendt. 89
Patent Office Accounts, 637

Doulton, Mr. F., *Lambeth*
Middlesex Industrial Schools, Report, Amendt. 975
New Museum of Natural History, 876, 877
Supply—Office of Works, &c. 945, 946

Drainage and Improvement of Lands Acts (Ireland) Amendment Bill
(*Mr. Peel, Mr. Chancellor of the Exchequer*)
c. Read 2°* *May* 15 [Bill 125]
Committee*; Report *May* 18
Read 3°* *May* 19
l. Read 1ª* (*The Lord Steward*) *May* 22 (No. 117)

Drainage and Improvement of Lands (Ireland) Provisional Order Confirmation (No. 2) Bill
(*Mr. Peel, Mr. Luke White*)
c. Ordered; read 1° *May* 22, 717 [Bill 163]
Read 2°* *May* 29
Committee*; Report *June* 1
Read 3°* *June* 8 [Bill 191]

Drainage and Improvement of Landed Property (Scotland)
Observations, Mr. Waldegrave-Leslie; Reply, Sir George Grey *June* 1, 1124

Dublin, Archbishop of
Clerical Subscription, Comm. Amendt. 959, 973

Duff, Mr. M. E. Grant, *Elgin, &c.*
Cape of Good Hope—Long *v.* Bishop of Cape Town, 486
Colonial Bishops—See of Rupert's Land, 1100
Government of India Act, 582
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University of London, 1209
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Duff, Mr. R. W., *Banffshire*
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Duncombe, Vice-Adm. Hon. A., *Yorkshire, E. R.*
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Duncombe, Hon. W. E., *Yorkshire, N. R.*
Leeds Court of Bankruptcy, Comm. moved for, 783

Dunlop, Mr. A. M., *Greenock*
Writs Registration (Scotland), Comm. Amendt. 1188

Dunne, Colonel F. P., *Queen's Co.*
Army—Rating of Houses of Officers, 591
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Supply—Royal Parks, 244, 246, 247;—Metropolitan Fire Brigade, 257, 259;—Lunatic Asylum, Isle of Man, 600;—Rates for Government Property, 601;—Privy Council Office, 607, 609

East India (Governor Generals Powers, &c.) Bill (*Lord Dufferin*)
Royal Assent *May* 9 [28 *Vict.* c. 17]

Ebury, Lord
Divisions, Manner of taking—Standing Order, 959

Ecclesiastical Commission (Superannuation Allowances) Bill
(*Mr. Walpole, Mr. Edward Pleydell Bouverie*)
c. Ordered; read 1° *June* 8, 1327 [Bill 201]

Ecclesiastical Leasing Act (1858) Amendment Bill (*Mr. Walpole, Mr P. P. Bouverie*)
c. Ordered; read 1°* *May* 10, 106 [Bill 140]
Read 2° and committed *May* 12, 260
Committee*; Report *May* 22
Read 3°* *May* 25
l. Read 1ª* (*The Earl of Chichester*) *May* 26 (No. 125)

Edmunds, Leonard, Esq.
Resignation of certain Offices, and on the Pension granted to him by the House
l. Report of Select Committee read *May* 9, 6
Resolutions moved thereon—
1. That the Petition of Mr Edmunds, stating that after having served the House Seventeen Years as Reading Clerk and Clerk of the Private Committees he desired to retire, and praying the House to grant him such Allowance as to their Lordships may seem fit, having been presented on Tuesday the 14th February by The Lord Chancellor without any Comment being made thereon by him or any other Member of the Government present on that Occasion, and referred to the Select Committee on the Office of Clerk of the Parliaments without any Special Order or Instruction in relation thereto, that Committee, when they met on Thursday the 16th February (Mr. Edmund's Resignation having been already accepted by the House), had no Question to determine on the Petition so referred to them but the amount of retiring Pension to which he was entitled, and would have exceeded their Duty if without special Instruction from the House they had proceeded to inquire into his Conduct in any Matter unconnected with his Duties in this House
2. That the Report having been presented on Friday the 17th February, was Ordered to be laid on the Table, and was not agreed to until Friday the 24th February, whereby sufficient "Delay was interposed before the Question was finally disposed of in favour of the Pension" for any Lord acquainted with Circumstances which ought to have been known to the House before the Report was adopted to have brought the same under the consideration of the House

After long debate, and a Question being stated thereupon, the previous Question was put? It was resolved in the Negative (*The Lord Redesdale*)

Petition of Leonard Edmunds, Esq.—"For postponement to a reasonable Time of the Motion to rescind the Resolution of the [*cont.*

Edmunds Leonard, esq.—cont.
House of the 24th February agreeing to the Report of the Committee on the Office of the Clerk of the Parliaments and Office of Gentleman Usher of the Black Rod made on the 17th February, so far as relates to the Recommendation of the said Committee that a retiring Provision of £800 per Annum should be allowed to the Petitioner, and to be heard by Counsel and Agents at the Bar of this House, or before the Parliament Office Committee, or any other Committee in support of the said Resolution"
Presented by Lord Wynford *May* 9, 39
Read and Ordered to lie on the Table

Moved, "To rescind the Resolution of the House of the 24th February agreeing to the Report of the Committee on the Office of the Clerk of the Parliaments and Office of Gentleman Usher of the Black Rod made on the 17th February, so far as relates to the Recommendation of the said Committee that a retiring Provision of £800 per annum should be allowed to Leonard Edmunds, Esquire" (*The Lord President*) *May* 9, 40
After short debate, Motion agreed to

Edwards, Lieut.-Col. H., *Beverley*
Bank Notes Issue, 3R. 804, 805
County Voters Registration, Comm. *cl.* 10, 100
Public House Closing Act Amendment, Comm. *cl.* 2, 545, 546, 550; *add. cl.* 554

Egerton, Hon. A. F., *Lancashire, S.*
Gunpowder, Accidents from, 877

Egerton, Mr. E. C., *Macclesfield*
Union Chargeability, Comm. 122

Elcho, Lord, *Haddingtonshire*
Roads and Bridges (Scotland), 303

Ellenborough, Earl of
Clerical Subscription, 2R. 1046

Elphinstone, Sir J. D. H., *Portsmouth*
Dockyard Extensions, 2R. Amendt. 540; Comm. Amendt. 948, 949, 1037
Greenwich Hospital, 2R. 1018
India—Transport of Troops to, 116;—Medal for, 563
Navy Estimates—New Works, &c. 929, 940
Navy—Widows of Warrant Officers, Res. 579
Patent Office Accounts, 638
Piers and Harbours (Scotland), 918
Supply—Metropolitan Fire Brigade, 258, 259; —Rates for Government Property, 602, 603

Enfield, Viscount (Secretary to the Poor Law Commissioners) *Middlesex*
Union Chargeability, Comm. *cl.* 1, Amendt. 492; *add. cl.* 519

Enniskillen, Earl of
Union Officers (Ireland) Superannuation, 2R. 4

Dockyard Extensions Bill
(*Lord Clarence Paget, Mr. Childers*)
c. Ordered; read 1° *May* 12, 260 [Bill 145]
Read 2° after debate *May* 18, 540
Motion, "That Mr. Speaker do now leave the Chair" *May* 26, 948
Amendt. to leave out from "That" and add, "in the opinion of this House, the expense of the Contracts for Dockyard Extensions to be authorised by this Bill would best be defrayed by Terminable Annuities, as in the case of the Fortifications under the Act 26 & 27 *Vict.* c. 80" (*Sir James Elphinstone*)
Question, "That the words, &c.;" after debate, agreed to; Main Question agreed to; Bill considered in Committee and reported, 948
Read 3° * *June* 1
l. Read 1ª * (*The Duke of Somerset*) *June* 2 (No. 143)

Dockyard Extensions
Observations, Sir Morton Peto; Reply, Lord Clarence Paget; debate thereon *May* 29, 1036

Dodson, Mr. J. G. (Chairman of Committees), *Sussex, E.*
Bank Notes Issue, Re-Comm. 826
Dogs Regulation (Ireland), Comm. *cl.* 6, 480, 482
Partnership Amendment, Comm. *add. cl.* 538
Roach River Fishery, 2R. 1263
Supply — Woods, Forests, &c. 705, 709;—Department of Science and Art, 1164;—Consular Establishments Abroad, 1285, 1286, 1287
Union Chargeability, Comm. *add. cl.* 521

Dogs Regulation (Ireland Bill
(*Sir Robert Peel, Mr. Luke White*)
Read 2° * *May* 12 [Bill 127]
Bill considered in Committee *May* 17, 480
After debate, Committee report Progress
Committee; Report *May* 22, 716
Bill, as amended, considered *May* 25, 859
Read 3° * *May* 26
. Read 1ª * (*The Lord Steward*) *May* 29 (No. 129)
Read 2ª after short debate *May* 30, 1044
Committee *; Report *June* 2

Donoughmore, Earl of
Edmunds, Leonard, Resignation of—Pension, Res. 43
India—Officers of the late East India Company's Army, 261, 277, 285
Mortgage Debentures, 2R. 719
Tories, Robbers, and Rapparees, 2R. 630
Union Officers (Ireland) Superannuation, 2R. Amendt. 3

Douglas, Sir C. E., *Banbury*
Army—Case of Lieut.-Colonel Dawkins, 661
Church Rates Commutation, 2R. Amendt. 89
Patent Office Accounts, 637

Doulton, Mr. F., *Lambeth*
Middlesex Industrial Schools, Report, Amendt. 975
New Museum of Natural History, 876, 877
Supply—Office of Works, &c. 945, 946

Drainage and Improvement of Lands Acts (Ireland) Amendment Bill
(*Mr. Peel, Mr. Chancellor of the Exchequer*)
c. Read 2° * *May* 15 [Bill 125]
Committee *; Report *May* 18
Read 3° * *May* 19
l. Read 1ª * (*The Lord Steward*) *May* 22 (No. 117)

Drainage and Improvement of Lands (Ireland) Provisional Order Confirmation (No. 2) Bill
(*Mr. Peel, Mr. Luke White*)
c. Ordered; read 1° *May* 22, 717 [Bill 163]
Read 2° * *May* 29
Committee *; Report *June* 1
Read 3° * *June* 8 [Bill 191]

Drainage and Improvement of Landed Property (Scotland)
Observations, Mr. Waldegrave-Leslie; Reply, Sir George Grey *June* 1, 1124

Dublin, Archbishop of
Clerical Subscription, Comm. Amendt. 959, 973

Duff, Mr. M. E. Grant, *Elgin, &c.*
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Dunne, Colonel F. P., *Queen's Co.*
Army—Rating of Houses of Officers, 591
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East India (Governor Generals Powers, &c.) Bill (*Lord Dufferin*)
Royal Assent *May* 9 [28 *Vict.* c. 17]

Ebury, Lord
Divisions, Manner of taking—Standing Order, 959

Ecclesiastical Commission (Superannuation Allowances) Bill
(*Mr. Walpole, Mr. Edward Pleydell Bouverie*)
c. Ordered ; read 1° *June* 8, 1327 [Bill 201]

Ecclesiastical Leasing Act (1858) Amendment Bill (*Mr. Walpole, Mr P. P. Bouverie*)
c. Ordered ; read 1° * *May* 10, 106 [Bill 140]
Read 2° and committed *May* 12, 260
Committee * ; Report *May* 22
Read 3° * *May* 25
l. Read 1ª * (*The Earl of Chichester*) *May* 26 (No. 125)

Edmunds, Leonard, Esq.
Resignation of certain Offices, and on the Pension granted to him by the House
l. Report of Select Committee read *May* 9, 6
Resolutions moved thereon—
1. That the Petition of Mr Edmunds, stating that after having served the House Seventeen Years as Reading Clerk and Clerk of the Private Committees he desired to retire, and praying the House to grant him such Allowance as to their Lordships may seem fit, having been presented on Tuesday the 14th February by The Lord Chancellor without any Comment being made thereon by him or any other Member of the Government present on that Occasion, and referred to the Select Committee on the Office of Clerk of the Parliaments without any Special Order or Instruction in relation thereto, that Committee, when they met on Thursday the 16th February (Mr. Edmund's Resignation having been already accepted by the House), had no Question to determine on the Petition so referred to them but the amount of retiring Pension to which he was entitled, and would have exceeded their Duty if without special Instruction from the House they had proceeded to inquire into his Conduct in any Matter unconnected with his Duties in this House
2. That the Report having been presented on Friday the 17th February, was Ordered to be laid on the Table, and was not agreed to until Friday the 24th February, whereby sufficient "Delay was interposed before the Question was finally disposed of in favour of the Pension" for any Lord acquainted with Circumstances which ought to have been known to the House before the Report was adopted to have brought the same under the consideration of the House

After long debate, and a Question being stated thereupon, the previous Question was put ? It was resolved in the Negative (*The Lord Redesdale*)

Petition of Leonard Edmunds, Esq.—"For postponement to a reasonable Time of the Motion to rescind the Resolution of the [*cont.*

Edmunds Leonard, esq.—cont.
House of the 24th February agreeing to the Report of the Committee on the Office of the Clerk of the Parliaments and Office of Gentleman Usher of the Black Rod made on the 17th February, so far as relates to the Recommendation of the said Committee that a retiring Provision of £800 per Annum should be allowed to the Petitioner, and to be heard by Counsel and Agents at the Bar of this House, or before the Parliament Office Committee, or any other Committee in support of the said Resolution"
Presented by Lord Wynford *May* 9, 39
Read and Ordered to lie on the Table

Moved, "To rescind the Resolution of the House of the 24th February agreeing to the Report of the Committee on the Office of the Clerk of the Parliaments and Office of Gentleman Usher of the Black Rod made on the 17th February, so far as relates to the Recommendation of the said Committee that a retiring Provision of £800 per annum should be allowed to Leonard Edmunds, Esquire" (*The Lord President*) *May* 9, 40
After short debate, Motion agreed to

Edwards, Lieut.-Col. H., *Beverley*
Bank Notes Issue, 3R. 804, 805
County Voters Registration, Comm. *cl.* 10, 100
Public House Closing Act Amendment, Comm. *cl.* 2, 545, 546, 550 ; *add. cl.* 554

Egerton, Hon. A. F., *Lancashire, S.*
Gunpowder, Accidents from, 877

Egerton, Mr. E. C., *Macclesfield*
Union Chargeability, Comm. 122

Elcho, Lord, *Haddingtonshire*
Roads and Bridges (Scotland), 303

Ellenborough, Earl of
Clerical Subscription, 2R. 1046

Elphinstone, Sir J. D. H., *Portsmouth*
Dockyard Extensions, 2R. Amendt. 540 ; Comm. Amendt. 948, 949, 1037
Greenwich Hospital, 2R. 1018
India—Transport of Troops to, 116 ;—Medal for, 563
Navy Estimates—New Works, &c. 929, 940
Navy—Widows of Warrant Officers, Res. 579
Patent Office Accounts, 638
Piers and Harbours (Scotland), 918
Supply—Metropolitan Fire Brigade, 258, 259 ; —Rates for Government Property, 602, 603

Enfield, Viscount (Secretary to the Poor Law Commissioners) *Middlesex*
Union Chargeability, Comm. *cl.* 1, Amendt. 492 ; *add. cl.* 519

Enniskillen, Earl of
Union Officers (Ireland) Superannuation, 2R. 4

Epping Forest, Alleged Murder in
Observations, Sir George Grey *May* 23, 740

Esmonde, Mr. J., *Waterford Co.*
Constabulary Force (Ireland) Act Amendment, Comm. *cl.* 4, 990 ; *cl.* 9, 994
Roman Catholic Oath, 2R. 437 ; Comm. 619

Established Church Service—The Rev. A. D. Wagner
c. Motion, "That a Select Committee be appointed to inquire and report to this House as to the mode in which the service of the Established Church is administered at the church of St. Paul's, Brighton," &c. (*Mr. Whalley*) *May* 23, 767
After debate, Question put, and negatived

Eversley, Viscount
Edmunds, Leonard, Resignation of—Pension, Res. 21

Ewart, Mr. J. C., *Liverpool*
Public House Closing Act Amendment, Comm. *add. cl.* 554

Ewart, Mr. W., *Dumfries, &c.*
Foreign Office—Audit, 1100

Ewing, Mr. H. E. Crum.- *Paisley*
Writs Registration (Scotland), Comm. 1203

Exchequer Bonds (£1,000,000) Bill
c. Read 1° * *May* 11 [Bill 142]
Read 2° * *May* 15
Committee * ; Report *May* 17
Read 3° * *May* 18
l. Read 1ª * (*The Lord President*) *May* 19
Read 2ª * *May* 22
Read 3ª * *May* 23
Royal Assent *May* 26 [28 *Vict.* c. 29]

Exchequer, Chancellor of the, *see* Chancellor of the Exchequer

Falmouth Borough Bill
(*Mr. Baring, Mr. St. Aubyn*)
c. Ordered ; read 1° *June* 8, 1327 [Bill 200]

Farquhar, Sir W. M. T., *Hertford*
India—War in Bhootan, 1120 ;—Mortality in the Royal Artillery on the March from Mhow to Kirkee, 1120
Prisons, Comm. *cl.* 15, Amendt. 1328, 1329
Supply—Printing and Stationery, 1144 ;—Consular Establishments Abroad, 1284

Felony and Misdemeanor Evidence and Practice Bill (*Lord Chelmsford*)
Royal Assent *May* 9 [28 *Vict.* c. 18]

Fenwick, Mr. E. M., *Lancaster*
County Voters Registration, Comm. *cl.* 12, 101

Fergusson, Sir J., *Ayrshire*
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Ferrand, Mr. W. B., *Devonport*
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Registrarship of the Court of Bankruptcy, Leeds, 293, 489 ; Comm. moved for, 775, 778
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Finlay, Mr. A. S., *Argyllshire*
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Fire Brigade (Metropolis) Bill
(*Mr. Baring, Sir George Grey*)
c. Ordered *May* 17, 483
Read 1° * *May* 18 [Bill 153]
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Floyer, Mr. J., *Dorsetshire*
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Foreign Office, Audit
Question, Mr. W. Ewart ; Answer, Mr. Layard *May* 30, 1100

Foreign Wines
Question, Sir FitzRoy Kelly ; Answer, The Chancellor of the Exchequer *May* 11, 113

Forfeiture for Treason and Felony Bill
(*Mr. Attorney General, Mr. Solicitor General, Sir G. Grey*)
c. Read 1° * *May* 9 [Bill 134]

Forster, Mr. C., *Walsall*
Azeem Jah (Signatures to Petitions), Comm. 53 ; Report, 1230, 1241, 1246, 1247 ;—Discharge of Marshall and Whitehead, 1267

Forster, Mr. W. E., *Bradford*
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Shannon River, Nomination of, Comm. 555; Adj. moved, 556
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GALWAY, Viscount, *East Retford*
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(*Sir Hervey Bruce, Colonel Forde*)
c. Motion, "That Mr. Speaker do now leave the Chair" (*Sir Hervey Bruce*) *May* 15, 372
Amendt. To leave out from "That" and add "this House will, upon this day six months, resolve itself into the said Commitee (*The O'Conor Don*)
Question, "That the words, &c."
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General Post Office (Additional Site) Bill
(*Mr. Peel, Mr. Cowper*)
c. Report* *May* 16 [Bill 94]
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Read 3º* *May* 25 [Bill 149]
l. Read 1ª* (*The Lord Stanley of Alderley*) *May* 26 [Bill 124]
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(*Mr. Childers, Lord C. Paget, Mr. Adam*)
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HADFIELD, Mr. G., *Sheffield*
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l. Moved, "That the Bill be now read 2ª" (*The Chairman of Committees*) *May* 26, 862
  Amendt. to leave out "now" and insert "this day six months" (*The Lord Ravensworth*)
  After short debate, on Question, "That 'now,' &c.;" Cont. 43, Not-Cont. 46; M. 3; Bill to be read 2ª this day six months; List of Cont. and Not-Cont., 867

Imperial Gas Company's Works at Chelsea
  Observations, The Bishop of London; Reply, Lord Ravensworth *May* 11, 108

Importation of Salt into France
  Question, Mr. J. Tollemache; Answer, Mr Milner Gibson *May* 15, 292

Inclosure Bill
(*The Lord Stanley of Alderley*)
  Royal Assent *May* 9 [28 *Vict.* c. 20]

Inclosure (No. 2) Bill
(*Mr. Baring, Sir George Grey*)
c. Ordered *May* 17, 483
  Read 1° * *May* 18 [Bill 154]
  Read 2° * *May* 25
  Committee *; Report *May* 26
  Read 3° * *May* 29
l. Read 1ª * (*Lord Stanley of Alderley*) *May* 30
  Read 2ª * *June* 1 (No. 135]
  Committee *; Report *June* 2

India
  Buckle, Case of Mr., Question, Mr. Vansittart; Answer, Sir Charles Wood *May* 19, 561
  Budget, The, Question, Mr. J. B. Smith; Answer, Sir Charles Wood *June* 1, 1119
  Civil Service Examinations—Moved an Address for "Copy of all Correspondence relative to the existing Regulations for the Examination of Candidates for the Civil Service in India, between the India Office and the Civil Service Commissioners, which has not yet been laid before Parliament" (*Mr. A. Mills*) *May* 16, 394; after long debate, Motion withdrawn; Question, Mr. Torrens; Answer, Sir Charles Wood *May* 15, 295
  Delhi Prize Money, Question, Colonel Dunne; Answer, Sir Charles Wood *May* 12, 193
  East India Company's Army, Officers of the late, Petitions, Observations, The Earl of Donoughmore; Answer, Lord Dufferin; debate thereon *May* 15, 261
  Government of India Act, Observations, Mr. Grant Duff; Reply, Sir Charles Wood; debate thereon *May* 19, 582
  Indian Medals, Question, Mr. W. Miller; Answer, Sir Charles Wood *May* 15, 302:—Question, Mr. W. Miller; Answer, Sir Charles Wood *May* 19, 563
  Indian Officers, Her Majesty's Answer to Address [2nd May] reported *May* 9, 45
  Irrigation Works, Question, Mr. Liddell; Answer, Sir Charles Wood *May* 9, 50
  Land Tenures of Oude, Question, Lord Stanley; Answer, Sir Charles Wood *May* 11, 114
  Mortality in the Royal Artillery on the March from Mhow to Kirkee, Question, Sir Minto Farquhar; Answer, Sir Charles Wood *June* 1, 1120
  Staff Promotion in the Indian Army, Question, Mr. Heygate; Answer, Sir Charles Wood *May* 15, 297
  Transfer of Singapore, Question, Mr. Mitchell; Answer, Sir Charles Wood *May* 16, 389
  Transport of Troops to, Question, Lord Stanley; Answer, Sir Charles Wood *May* 11, 114
  War in Bhootan, Question, Sir Minto Farquhar; Answer, Sir Charles Wood *June* 1, 1120

India Office (Site and Approaches) Bill (*The Lord Clandeboye*)
l. Read 2ª * *May* 19 (No. 69)
Committee * ; Report *May* 22
Committee * ; Report *May* 23
Read 3ª * *May* 26
Royal Assent *June* 2 [28 *Vict.* c. 32]

Ingham, Mr. R., *South Shields*
Greenwich Hospital, 2R. 1010 ; Comm. *cl.* 11, 1323

Inland Revenue Acts
c. Considered in Committee
Moved, " That it is expedient to make provision for allowing a Maltster the option of having the Excise Duty on Malt made by him charged according to the weight of the Grain used in the making of such Malt instead of by measure " (*Mr. Chancellor of the Exchequer*) ; Motion agreed to *May* 18, 555 ; Resolution reported *May* 19
Resolutions (Stamp Duties—Fire Insurance) proposed by *The Chancellor of the Exchequer*, and, after debate, agreed to *May* 22, 711 ; Resolutions reported *May* 25

Inland Revenue Acts
c. Resolution [May 18] reported
Bill ordered * *May* 19
Read 1° * *May* 26 [Bill 169]
Read 2° * *June* 1
Resolutions [May 22] reported *May* 25
Bill ordered * *May* 25
Read 1° * *May* 26 [Bill 169]

Inns of Court Bill (*Sir George Bowyer, Mr. Hennessy*)
c. Committee * ; Report *May* 25 [Bill 44]
Committee * (*re-comm.*) ; Report *June* 1 [Bill 164]

Insolvent Debtors Bill (*Mr. Paull, Mr. Locke, Mr. M'Mahon*)
c. Bill withdrawn * *May* 9 [Bill 24]

Ireland
Catherine Gaughan, Case of, Observations, The Marquess of Westmeath *May* 23, 723 :—Question, The Earl of Bandon ; Answer, Earl Granville *June* 2, 1186
Circulation of Lottery Tickets, Question, Mr. Newdegate ; Answer, The Attorney General *June* 1, 1121
Constabulary (*Ireland*), Return ordered (*Colonel Dunne*) *May* 15, 374 ; Observations, Mr. Blake ; Reply, Sir Robert Peel *June* 9, 1338
Court of Chancery (*Ireland*), Question, Mr. Scully ; Answer, Mr. Peel *June* 8, 1269
Dublin and Holyhead Steamers, Question, Sir Frederick Heygate ; Answer, Mr. Milner Gibson *May* 15, 292
Hannigan, John and Charles, Address for Papers (*Viscount Lifford*) *May* 19, 556 ; after short debate, Motion (by Leave of the House) withdrawn
Irish Church, Question, Major Knox ; Answer, Mr. Dillwyn *May* 12, 194
Lunatics in Gaols, &c. Question, Mr. MacEvoy ; Answer, Sir Robert Peel *May* 19, 591

Ireland—cont.
Mail Service, Question, Mr. Dawson ; Answer, Mr. Peel *May* 30, 1099
Police in Tipperary, Question, Mr. Lanigan ; Answer, Sir Robert Peel *May* 25, 788
Poor Fishermen, Question, Mr. Blake ; Answer, Mr. Peel *May* 26, 914
School Reports, Question, Mr. O'Reilly; Answer, Sir Robert Peel *May* 26, 875
Taxation of, Report of Select Committee *June* 1 (*Parl. Paper* No. 330.)

Isle of Man Disafforestation (Compensation) Bill (*The Lord President*)
l. Read 2ª * *May* 12 (No. 91)
Committee * ; Report *May* 15
Read 3ª * *May* 16
Royal Assent *May* 26 [28 *Vict.* c. 28]

Jackson, Mr. W., *Newcastle-under-Lyme*
Westminster Improvement Commission, Returns moved for, 210

Jervis, Captain H. J. W., *Harwich*
Army—Military Telegraphs, 491

Jervoise, Sir J. C. C., *Hampshire, S.*
Cattle Diseases Prevention, 297
Supply—Rates for Government Property, 603 ; —Privy Council Office, 607

Johnstone, Sir J. V. B., *Scarborough*
Union Chargeability, Comm. *cl.* 1, Amendt. 491 ; *add. cl.* 522, 525

Jolliffe, Right Hon. Sir W. G. H., *Petersfield*
Colonial Governors (Retiring Pensions), 2R. 1022
Fire Brigade (Metropolis), 2R. 833
Middlesex Industrial Schools, Report, 975
Prisons, Comm. Schedule 1, 1335
Supply—Privy Council Office, 608 ;—Board of Trade, 609 ;—Office of Works, &c. 947
Union Chargeability, Comm. *cl.* 2, 500

Judgments (Ireland) Bill (*Mr. Whiteside, Mr. George*)
c. Bill withdrawn * *June* 1

Kekewich, Mr. S. T., *Devonshire, S.*
Union Chargeability, Comm. *cl.* 2, Amendt. 514, 518

Kelly, Sir FitzRoy, *Suffolk, E.*
County Courts Equitable Jurisdiction, 2R. 856, 858
Greenwich Hospital, Comm. *cl.* 5, 1318 ; *cl.* 10, 1319 ; Amendt. 1321
Wines, Foreign, 113

Kendall, Mr. N. *Cornwall, E.*
Union Chargeability, Comm. 345

Kennedy, Mr. T., *Louth Co.*
Roman Catholic Oath, 2R. 472 ; Comm. 615

Kent, Constance—Case of
Question, Mr. Whalley; Answer, Sir George Grey *May* 9, 48

Ker, Mr. D. S., *Downpatrick*
Roman Catholic Oath, Comm. 1085

Killaloe, Bishop of
Clerical Subscription, Comm. 964

Kinglake, Mr. A. W., *Bridgwater*
Church Rates Commutation, 2R. 91

Kingstown Harbour
(*Mr. Peel, Mr. Chancellor of the Exchequer*)
c. Considered in Committee* *May* 29
Bill ordered; read 1°* [Bill 185]

Kinnaird, Lord
Locomotives on Roads, 2R. 870
Metalliferous Mines, 2R. 621, 625, 626
Mines, Report on, 387

Kinnaird, Hon. A. F., *Perth*
Army—Case of Lieut.-Colonel Dawkins, 661
British Guiana—Coolies, 1103
Drainage and Improvement of Land (Scotland), 1127
Government of India Act, 585
India — Civil Service Examinations, Papers moved for, 413
Supply—Woods, Forests, &c. 708;—Secret Service, 1139;—Printing and Stationery, 1142;—National Gallery, 1272;—Consular Establishments Abroad, 1284
Westminster Improvement Commission, Returns moved for, 210

Knight, Mr. F. W., *Worcestershire, W.*
Union Chargeability, Comm. 120, 158; Consid. Amendt. 663, 696; *add. cl.* 700; 3R. 797

Knightley, Sir R., *Northamptonshire, S.*
Union Chargeability, Comm. Adj. moved, 170, 172; Comm. *cl.* 2, 513

Knox, Hon. Major W. S., *Dungannon*
Irish Church, 194
Supply—Superannuation Allowances, 1298;—Nonconforming, &c. Ministers, 1299

Knox, Colonel B. W., *Marlow*
Army—Case of Lieut.-Colonel Dawkins, 650
Supply—Special Missions, 1295; — Nonconforming, &c. Ministers, 1300

Laird, Mr. J., *Birkenhead*
Chain Cables and Anchors, 46
Navy Estimates—New Works, &c. 927, 938, 942, 943

Lancaster Court of Chancery Bill
(*The Earl of Clarendon*)
l. Read 2ª* *June* 1 (No. 78)
Committee*; Report *June* 2

Land Debentures Bill
(*Mr. Ayrton, Mr. Collins*)
c. Read 3°* *May* 18 [Bill 120]
l. Read 1ª* (*Lord Cranworth*) *May* 19 (No. 112)

Land Debentures (Ireland) Bill
(*Mr. Scully, Sir C. O'Loghlen, Mr. P. Urquhart*)
c. Read 3°* *May* 18 [Bill 121]
l. Read 1ª* (*The Lord Boyle*) *May* 19 (No. 113)

Land Drainage Supplemental Bill
(*The Lord Stanley of Alderley*)
Royal Assent *May* 9 [28 *Vict.* c. 23]

Lands and Heritages (Scotland), Valuation of
Report of Select Committee *May* 22 (*Parl. P.* No. 300)

Lanigan, Mr. J., *Cashel*
Constabulary Force (Ireland) Act Amendment, Comm. Preamble, 985; *add. cl.* 994, 996
Ireland—The Police in Tipperary, 788

Lawrence, Mr. Ald. J. C., *Lambeth*
Supply—Department of Science and Art, 1171

Lawson, Mr. W., *Carlisle*
Public House Closing Act Amendment, Comm. *add. cl.* 552

Layard, Mr. A. H. (Under Secretary for War), *Southwark*
China—Dismissal of Prince Kung, 1209
Foreign Office—Audit, 1100
Supply—Printing and Stationery, 1141, 1143; —Department of Science and Art, 1173, 1174, 1176;—Captured Negroes, &c. 1281;—Consular Establishments Abroad, 1283, 1284, 1286, 1287, 1288, 1290, 1291, 1292;—Consular Establishments, China, Japan, &c. 1292;—Ministers at Foreign Courts, 1293; —Special Missions (*Viscount Amberley*), 1295, 1296
United States—The "Alabama," 1108

Leeds Court of Bankruptcy
Motion, That a Select Committee be appointed, "to inquire into all the circumstances connected with the resignation of Mr. Henry Sedgwick Wilde as Registrar of the Court of Bankruptcy at Leeds; the granting him a pension; the appointment of Mr. Welch to the said office; and whether he was to resign his appointment in favour of the Honourable Richard Bethell and receive another appointment in London" (*Mr. Ferrand*); after long debate, Motion agreed to; Select Committee appointed *May* 23, 775
And, on May 30, List of Committee reported from the General Committee of Elections as follows:—Edward Christopher Egerton, esq., Thomas William Evans, esq., Edward Howes, esq., Colonel the hon. E. G. Douglas Pennant, Henry Hussey Vivian, esq., The Lord Advocate, and William Bovill, esq., 785

Leeds Court of Bankruptcy and the Hon. R. Bethell
Observations, Viscount Palmerston *May* 23

Leeds Court of Bankruptcy, Registrarship of the
Question, Mr. Ferrand; Answer, The Attorney General *May* 15, 293

Leeds Registrarship
Question, Mr. Ferrand; Answer, The Attorney General *May* 18, 489

Lefevre, Mr. G. J. Shaw, *Reading*
Liturgy, Revision of the, 1122
United States—The "Alabama," 1107

Lefroy, Mr. A., *Dublin University*
Railways (Guards and Passengers Communication), Res. 62, 65
Roman Catholic Oath, 2R. Amendt. 429, 433
Supply—Education (Ireland), 1253

Leighton, Sir B., *Shropshire, S.*
Prisons, Comm. *cl.* 42, 1331; Schedule 1, 1333
Union Chargeability, Comm. 334; *cl.* 1, 491; *cl.* 5, 519; *add. cl.* 520, 522; Consid. 680, 692, 702

Leitrim, Earl of
Ireland—Case of Catherine Gaughan, 1186
Union Officers (Ireland) Superannuation, 2R. 4

Lennox, Lord H. G. C., *Chichester*
Roman Catholic Oath, 2R. 470, 471

Leslie, Mr. Waldegrave, *Aberdeenshire*
Drainage and Improvement of Land (Scotland), 1124
Ecclesiastical Leasing Act Amendment, 2R. 260
Piers and Harbours, 1121
Roman Catholic Oath, 741

Levi's, Dr. Leone, "Annals of British Legislation"
Question, Mr. J. R. Yorke; Answer, Mr. Peel *May* 16, 392

Libel Bill
(*Sir C. O'Loghlen, Mr. Longfield, Mr. Hennessy*)
c. Order for second reading read *May* 23; House counted out

Liddell, Hon. G. H., *Northumberland, S.*
Greenwich Hospital, 2R. 1004
India—Irrigation Works, 50
Union Chargeability, Comm. 335; *add. cl.* 521

Lifford, Viscount
Ireland—J. and C. Hannigan, Papers moved for, 556;—Case of Catherine Gaughan, 725

Lighthouse on the Basses Rocks, Ceylon
Question, Mr. Baillie Cochrane; Answer, Mr. Milner Gibson *June* 1, 1130

Lincoln, Bishop of
Agricultural Gangs, Address moved, 177

Liverpool Gunpowder Regulations, &c., Bill
c. Report * *May* 30

Llandaff, Bishop of
Clerical Subscription, Report, Amendt. 1047, 1050

Local Government Supplemental Bill
(*The Lord Stanley of Alderley*)
Royal Assent *May* 9 [28 *Vict.* c. 24]

Local Government Supplemental (No. 2) Bill (*The Lord Stanley of Alderley*)
Royal Assent *May* 9 [28 *Vict.* c. 25]

Local Government Supplemental (No. 3) Bill (*Mr. Baring, Sir G. Grey*)
c. Report * *May* 18 [Bill 152]
Committee * (*re-comm.*); Report *May* 25
Read 3° * *May* 26
l. Read 1ª * (*Lord Stanley of Alderley*) *May* 29 (No. 127)

Local Government Supplemental (No. 4) Bill (*Mr. Baring, Sir George Grey*)
c. Ordered; read 1° * *May* 9 [Bill 132]
Read 2° * and referred to Select Committee *May* 12
Report * *May* 30
Committee *; Report *June* 1
Read 3° * *June* 2
l. Read 1ª * (*Lord Stanley of Alderley*) *June* 2 (No. 144)

Locke, Mr. J., *Southwark*
Fire Brigade (Metropolis), 2R. 838
Supply — Metropolitan Fire Brigade, 257;—Rates for Government Property, 603;—Woods, Forests, &c. 707, 708, 710
Theatres, &c. 2R. 104
Union Chargeability, Comm. *cl.* 2, 515, 518

Locomotives on Roads Bill
(*Mr. Holland, Sir E. Dering, Sir John Hay*)
c. Moved, "That the Bill be now read 3°" *May* 15, 372
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Greenwood*)
After short debate, Question, "That 'now,' &c.," put, and agreed to; Main Question agreed to
Read 3° [Bill 143]
l. Read 1ª * (*The Earl of Hardwicke*) *May* 16
Read 2ª, after short debate, and referred to a Select Committee *May* 26, 867 (No. 108)
And, on *June* 12, Committee nominated as follows:—D. Richmond, D. Sutherland, M. Salisbury, E. Caithness, E. Hardwicke, E. Carnarvon, E. Romney, V. Melville, V. Eversley, L. Silchester, L. Rossie, L. Stanley of Alderley, 872; *June* 13, L. Harris added in the place of D. Sutherland, E. De Grey in the place of L. Stanley of Alderley, and E. Ducie, V. Strathallan, L. Calthorpe, and L. Wenlock added

LONDON, Bishop of
Clerical Subscription, Comm. 972
Companies Workmen's Education, Comm. *cl.* 1, 956
Confession in the Church of England—Law of Evidence, 186
Imperial Gas, 2R. 864
Imperial Gas Company's Works at Chelsea, 108

London Brokers' Bill
(*Mr. Moffatt, Mr. Hankey, Mr. T. J. Miller*)
c. Ordered; read 1° * *May* 25 [Bill 167]

LONG, Mr. R. P., *Chippenham*
Union Chargeability, Comm. 170

LONGFIELD, Mr. R., *Mallow*
Record of Title (Ireland), 2R. 855
Supply—Fishery Board (Scotland), 1308

LONGFORD, Earl of
Locomotives on Roads, 2R. 870
Public Offices (Site and Approaches), 2R. 559

Lotteries—Public Departments
Question, Mr. Verner; Answer, The Chancellor of the Exchequer *June* 8, 1268

Lunacy Law
Observations, Mr. Neate *May* 30, 1114 [House counted out]

Lunatic Asylum Act (1853), &c., Amendment Bill (*Mr. Scourfield, Mr. Pugh*)
c. Ordered; read 1° * *June* 2 [Bill 196]
Read 2° * *June* 8

Lunatic Asylums (Ireland) Bill
(*Mr. Blake, Mr. McMahon*)
c. Ordered; read 1° * *May* 26 [Bill 171]

LYGON, Hon. F., *Worcestershire, W.*
Dockyard Extensions, Comm. 950; *cl.* 1, 951, 952
Greenwich Hospital, Comm. *cl.* 11, 1324
Supply—Woods, Forests, &c. 706;—Office of Works, &c. 946
Union Chargeability, Comm. Adj. moved, 172

LYTTELTON, Lord
Clerical Subscription, Comm. 969; *cl.* 4, 974

LYVEDEN, Lord
Edmunds, Leonard, Resignation of—Pension, Res. 23
India—Officers of the late East India Company's Army, 274

MACEVOY, Mr. E., *Meath Co.*
Lunatics in Gaols (Ireland), 591

MCMAHON, Mr. P., *Wexford Co.*
Roman Catholic Oath, 743
Supply—Rates for Government Property, 601, 604;—Board of Trade, 610;—Printing and Stationery, 1146;—County Courts, 1149;—Law Charges, &c. (Ireland), 1150;—Constabulary (Ireland), 1151

MAGUIRE, Mr. J. F., *Dungarvan*
Navy Estimates—New Works, &c. 931
Paper Trade, Res 745, 760, 766

MALINS, Mr. R., *Wallingford*
Army—Case of Lieut.-Colonel Dawkins, 653
County Courts Equitable Jurisdiction, 2R. 857
Courts of Justice Concentration (Site), Lords Amendts. 1185
Leeds Court of Bankruptcy, Comm. moved for, 780
Record of Title (Ireland), 2R. 854; Comm. 1183

Malt Duty Bill
c. Read 1° * *May* 19 [Bill 160]
Read 2° * *June* 1

MANNERS, Right Hon. Lord J. J. R., *Leicestershire, N.*
Church Rates Commutation, 2R. 94
Supply—National Gallery, 1260, 1273
Union Chargeability, Comm. 172, 346

MARLBOROUGH, Duke of
Mortgage Debentures, 2R. 720

Marriages (Lambourne) Bill
(*The Bishop of Oxford*)
l. Read 2ª after short debate *May* 9, 1 (No. 83)
Bill considered in Committee; Amendment proposed, New Clause (*The Bishop of Oxford*) *May* 12, 188
After debate, Amendt. negatived; Bill reported *May* 12
Read 3ª * *May* 16
Royal Assent *July* 5 [28 & 29 *Vict.* c. 81]

Married Women's Property (Ireland) Bill
(*The Earl of Belmore*)
l. Committee * *May* 15 (No. 53)
Report * *May* 16
Read 3ª * *May* 18 (No. 70)
Royal Assent *June* 19 [28 *Vict.* c. 43]

MARSH, Mr. M. H., *Salisbury*
Army—Case of Lieut.-Colonel Dawkins, Address moved, 880
Colonies, Protection of the, 905
Supply — Fishery Board (Scotland), 1308;—Flax Cultivation (Ireland), 1309;—Malta and Alexandria Telegraph, 1311

Master and Servant
c. Committee nominated *May* 19 as follows:—Lord Elcho, Mr. Cobbett, Mr. Solicitor General, Sir James Fergusson, Mr. Dalglish, Mr. Gathorne Hardy, Mr. Edmund Potter, Lord Stanley, Mr. William Edward Forster, Mr. Hennessy, Mr. Roebuck, Mr. Lowe, Mr. Jackson, Mr. Algernon Egerton, Mr Alderman Salomons, Mr. Clive, and Mr. Cox

MELVILLE, Viscount
Locomotives on Roads, 2R. 870

Metalliferous Mines Bill (*Lord Kinnaird*)
l. After debate, Order for the second reading read and discharged; Bill withdrawn *May* 22 621 (No. 49)

Metropolitan Houseless Poor Bill
(*Earl De Grey and Ripon*)
l. Read 2ª after short debate *May* 12, 192 (No. 70)
Moved, That the House do now resolve itself into a Committee *May* 16, 378
After debate, Motion agreed to; House in Committee
Report * *May* 18
Read 3ª * *May* 19
Royal Assent *June* 2 [28 *Vict.* c. 34]

Metropolitan Main Drainage Extension Bill (*Lord Stanley of Alderley*)
Royal Assent *May* 9 [28 *Vict.* c. 19]

Metropolis Sewage and Essex Reclamation Bill
l. Read 3ª after short debate; Bill passed, and sent to the Commons *June* 1, 1115

Metropolitan Toll Bridges Bill
(*Mr. Ald. Salomons, Mr. Locke, Mr. Jackson*)
c. Committee nominated *May* 10, as follows:—Mr. Alderman Salomons, Mr. Cubitt, Mr. Jackson, Sir Baldwin Leighton, Mr. Ayrton, Mr. Charles Turner, Sir John Shelley, Mr. Liddell, Mr. Locke King. Mr. Stanhope, Mr. Adam, Sir William Jolliffe, Mr. Cowper, Lord John Manners, Mr. Hanbury and Mr. Tite; *May* 12, Mr. Leader added

Middlesex Industrial Schools Bill
c. Order [11th May] that the report from the Select Committee on the Middlesex Industrial Schools Bill do lie upon the Table read
Motion, "That the said order be discharged" (*Mr. Doulton*); Question put, and negatived *May* 29, 975
Motion, "That the Middlesex Industrial Schools Bill, as amended in the Committee, be taken into Consideration To-morrow" (*Mr. Hennessy*)
After short debate, Motion withdrawn *June* 8, 1263

Miles, Sir W., *Somersetshire, E.*
Union Chargeability, Comm. 128, 171, 353; *cl.* 2, 501

Militia Ballots Suspension Bill
(*The Marquess of Hartington, Mr. Peel*)
c. Ordered; read 1° * *May* 26
Read 2° * *June* 1
Committee *; Report *June* 2
Read 3° * *June* 8

Militia Pay Bill
(*The Marquess of Hartington*)
c. Presented; read 1° * *May* 26
Read 2° * *June* 1
Committee *; Report *June* 2
Read 3° * *June* 8

Miller, Mr. T. J., *Colchester*
Westminster Improvement Commission, Return moved for, 210

Miller, Mr. W., *Leith*
Indian Medal, The, 302, 563

Mills, Mr. A., *Taunton*
Azeem Jah (Signatures to Petitions), Comm. 95
Colonial Governors (Retiring Pensions), 2R. 1030
India—Transport of Troops to, 116;—Civil Service Examinations, Papers moved for, 393, 420
New Zealand—Affairs of, 879

Mills, Mr. J. Remington, *Wycombe (Chepping)*
Fire Brigade (Metropolis), 2R. 838
Supply—Nonconforming, &c. Ministers, 1300

Mines, Report upon
Question, Lord Kinnaird; Answer, Lord Vivian *May* 16, 387

Mines Regulation Act
Select Committee appointed "To inquire into the operation of the Act for the regulation and inspection of Mines, and into the complaints contained in Petitions from Miners in Great Britain with reference thereto, which have been presented to the House during the present Session" (*Mr. Ayrton*) *May* 9, 72
And, on *May* 29, Committee nominated as follows:—Mr. Ayrton, Mr. Liddell, Mr. Neate, Mr. Greenall, Mr Lawson, Mr. Arthur Mills, Mr. Kinnaird, Mr. Francis Sharp Powell, Mr. Jackson, Colonel Dunne, Mr. Clive, Mr. Ferrand, Mr. Hussey Vivian, Lord Robert Cecil, and Mr. Bruce

Mitchell, Mr. T. A., *Bridport*
Singapore—Transfer of, 389

Mitford, Mr. W. T., *Midhurst*
Prisons, Comm. *cl.* 19, 1329
Supply—National Gallery, 1274
Union Chargeability, 3R. 800

Moffatt, Mr. G., *Honiton*
Bankruptcy Act (1861), Res. 420, 1109
Ordnance Survey, Civil Assistants on the, 214

Moncreiff, Right Hon. J., *see* Advocate, The Lord

Monsell, Right Hon. W., *Limerick Co.*
Record of Title (Ireland). Comm. 1181
Roman Catholic Oath, 2R. 451; Comm. 612, 618, 620, 742, 1036, 1097
St. John, Mr., Case of, 788
Supply—Education (Ireland), 1251, 1258

Montagu, Lord R., *Huntingdonshire*
Police—Houses of Parliament, 1102
Pollution of Rivers, 1101
Supply—Printing and Stationery, 1142, 1145, 1146;—Probate Court, 1147

Moor, Mr. H., *Brighton*
  Colonial Governors (Retiring Pensions), 2R. 1024
  Greenwich Hospital, Comm. *cl.* 5, 1317
  Partnership Amendment, Comm. *cl.* 1, Amendt. 526 ; *cl.* 2, Amendt. 528
  Supply — Malta and Alexandria Telegraph, 1311, 1312

Mortgage Debentures Bill
(*Lord Naas, Colonel Grenville*)
c. Read 3° * *May* 15 [Bill 119]
l. Read 1ª * (*The Earl of Donoughmore*) *May* 16, Read 2ª after debate *May* 23, 719 (No. 107)

Mundy, Mr. W., *Derbyshire, S.*
  Prisons, Comm. *cl.* 42, 1330, 1331 ; Schedule 1, Amendt. 1332, 1334, 1335

Murphy, Mr. N. D., *Cork City*
  Navy Estimates—New Works, &c. 941
  Record of Title (Ireland), 2R. 855 ; Comm. 1182

Murray, Mr. W., *Newcastle-under-Lyme*
  Partnership Amendment, Comm. *cl.* 1, 526
  Registrarship of the Court of Bankruptcy, Leeds, 293

Naas, Right Hon. Lord, *Cockermouth*
  Constabulary Force (Ireland) Act Amendment, Comm. Preamble, 984, 985 ; *cl.* 3, 987 ; *cl.* 4, 990 ; *cl.* 8, 991, 992 ; *cl.* 9, 994
  Supply—Bermudas, 1280

National Gallery (Dublin) Bill
(*Mr. Peel, Mr. Luke White*)
c. Ordered ; read 1° * *June* 8 [Bill 203]

Natural History, New Museum of
  Question, Mr. Doulton ; Answer, The Chancellor of the Exchequer *May* 26, 876

Naval and Marine Pay and Pensions Bill
(*Lord Clarence Paget, Mr. Childers*)
c. Ordered ; read 1° * *May* 29 [Bill 182]

Navy
  "Bellerophon," The, Question, Mr. Torrens ; Answer, Lord Clarence Paget *May* 25, 789
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  Masters in the Royal Navy, Question, The Earl of Hardwicke ; Answer, The Duke of Somerset *May* 16, 384; Question, Mr. Corry; Answer, Lord Clarence Paget *May* 26, 878
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c. Ordered ; read 1° * *May* 29
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  Constabulary Force (Ireland) Act Amendment, Comm. *cl.* 9, 992
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Parsonages Bill [H.L.] (*The Lord Archbishop of Canterbury*)
l. Presented; read 1ª* *May* 22 (No. 119)
Read 2ª* *May* 26
Committee* *May* 30 (No. 137)
Report* *June* 1
Read 3ª* *June* 2
Royal Assent *June* 29 [28 *Vict.* c. 69]

Partnership Amendment Bill (*Mr. Dodson, Mr. Milner Gibson, Mr. Hutt*)
c. Considered in Committee *May* 18, 526 [Bill 52]
After long debate, Bill reported; as amended
Read 3°* *May* 25 [Bill 156]
l. Read 1ª* (*The Lord Stanley of Alderley*) *May* 26 (No. 123)

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(*Sir George Grey, Mr. Baring*)
c. Ordered ; read 1° * *June* 8 [Bill 202]

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(*The Earl of Belmore*)
l. Presented ; read 1ª * *May* 18 (No. 109)
Read 2ª after short debate *May* 22, 630
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Read 3ª * *May* 26
c. Read 1° * *June* 2 [Bill 193]

Pier and Harbour Orders Confirmation Bill (*Mr. Dodson, Mr. M. Gibson, Mr. Hutt*)
c. Ordered *May* 5 ; Read 1° * *May* 9 [Bill 130]
Read 2° * and referred to Select Committee *May* 11
Report * *May* 29
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Pier and Harbour Orders Confirmation (No. 2) Bill (*Mr. Milner Gibson, Mr. Hutt*)
c. Considered in Committee; Bill ordered *May* 23, 715
Read 1°* *May* 25 [Bill 168]
Read 2°* *May* 29

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Question, Mr. Waldegrave-Leslie; Answer, Mr. Milner Gibson, 1121, 1122

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Question, Mr. R. W. Duff; Answer, Mr. Peel *May* 26, 915

Pilotage Order Confirmation Bill
(*The Lord Stanley of Alderley*)
l. Report of Select Committee* *May* 22 (No. 67)
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Read 3ª* *May* 29

Pilotage Order Confirmation (No. 2) Bill
(*Mr. Milner Gibson, Mr. Hutt*)
c. Read 1°* *May* 9
Read 2°* *May* 11
Bill committed to a Select Committee *May* 15, 373 [Bill 131]
Report* *June* 2 [Bill 194]
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Police—Houses of Parliament
Question, Lord Robert Montagu; Answer, Mr. T. G. Baring *May* 30, 1102

Police Superannuation Bill
(*The Lord President*)
l. Read 1ª* *May* 9 (No. 95)
Read 2ª* *May* 18
Committee* *May* 19
Report* *May* 26
Read 3ª* *May* 29
Royal Assent *June* 2 [28 *Vict.* c. 35]

Pollard-Urquhart, Mr. W., *Westmeath Co.*
Supply—Metropolitan Fire Brigade, 258;—Lunatic Asylum, Isle of Man, 598

Poor Law Board and the High Wycombe Union
Amendt. on Committee of Supply *May* 12, To leave out from "That" and add "There be laid before this House, a Copy of a Letter from the Poor Law Board, dated the 4th day of March, 1865, and signed by Henry Fleming, secretary, relative to the Wycombe Union" (*Mr. Disraeli*), 216; Question, "That the words, &c.;" after debate, Amendt. withdrawn
Dietary of the Poor in Metropolitan Workhouses, Question, Sir John Shelley; Answer, Mr. C. P. Villiers *May* 15, 299

Poor Law Board Continuance, &c., Bill
(*Mr. Villiers, Viscount Enfield*)
c. Ordered; read 1°* *June* 2 [Bill 197]

Portman, Lord
Imperial Gas, 2R. 863
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Portman, Hon. W. H. B., *Dorsetshire*
Union Chargeability, Consid. 679

Postmaster General Bill
(*Mr. Darby Griffith, Mr. Hadfield, Mr. Barnes*)
c. Ordered; read 1°* *May* 11 [Bill 144]

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Potter, Mr. E., *Carlisle*
Supply — Department of Science and Art, Amendt. 1164, 1165, 1179

Powell, Mr. F. S., *Cambridge*
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Prisons Bill
(*Sir George Grey, Mr. Baring*)
c. Report* *May* 11 [Bill 15]
Committee* (*re-comm.*) *May* 29
Considered in Committee *June* 9, 1328
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Prisons (Scotland) Act Amendment Bill
(*Lord Advocate, Sir G. Grey, Sir W. Dunbar*)
c. Committee*; Report *May* 11 [Bill 91]
Read 3°* *May* 15
l. Read 1ª* (*The Lord Sundridge*) *May* 16 (No. 106)

Private Bills, Referees on
Select Committee appointed, and nominated *May* 30, as follows:—Colonel Wilson Patten, Mr. Dodson, Mr. Milner Gibson, Mr. Lowe, Mr. Edward Pleydell Bouverie, Lord Robert Cecil, Lord Stanley, Mr. Ingham, Mr. Scholefield, Mr. Woodd, Mr. Bonham-Carter, Mr Ennis, Mr. Thompson, Mr. Gathorne Hardy and Sir John Shelley

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Public House Closing Act (1864) Amendment Bill (*Mr. Cox, Mr. Goschen*)
c. Considered in Committee *May* 18, 542 [Bill 22]
After long debate, Bill reported; as amended
Considered * *May* 22 [Bill 159]
Read 3° * *May* 25
l. Read 1ª * (*The Marquess of Clanricarde*) *May* 26 (No. 126)
Read 2ª after short debate *June* 1, 1116

Public Offices (Site and Approaches) Bill
(*Lord Stanley of Alderley*)
l. Read 2ª *May* 19, 559 (No. 68)
Committee *; Report *May* 22
Committee * (*re-comm.*); Report *May* 23
Read 3ª * *May* 26
Royal Assent *June* 2 [28 *Vict.* c. 31]

PUGH, Mr. D., *Carmarthenshire*
Union Chargeability, Comm. *cl.* 2, 502

Railway Clauses Bill
(*Mr. Milner Gibson, Mr. Hutt*)
c. Read 2° * *May* 25 [Bill 114]
Committee *; Report *May* 26 [Bill 170]

Railway Bills—(*Group* 8)
Moved, "That the Special Report from the Committee on Group 8 of Railway Bills be referred to the Select Committee on Standing Orders, &c." (*Mr. Thompson*) *May* 26, 874
After short debate, Motion withdrawn

Railways
Guards and Passengers Communication, Moved, "That some immediate provision should be made for compelling Railway Companies to make arrangements for establishing a proper communication between Guards and Passengers" (*Sir William Gallwey*) *May* 9, 60; after debate, Motion withdrawn
Railway Accident on the Great Western, Question, Sir William Gallwey; Answer, Mr. Milner Gibson *Jnne* 9, 1337; Observations, Sir Lawrence Palk; Reply, Mr. Milner Gibson *June* 9, 1342

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Question, Colonel North; Answer, Mr. Peel *May* 22, 640

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(*The Lord Chancellor*)
l. Committee *; Report *May* 9 (No. 97)
Read 3ª * *May* 12
c. Read 1° * *May* 17 [Bill 151]
Read 2° after long debate *May* 25, 841
After debate, Bill considered in Committee; Committee report progress *June* 1, 1181

REDESDALE, Lord (Chairman of Committees)
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Metropolis Sewage and Essex Reclamation, 3R. 1115
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Sewage Utilization, 2R. 377; Comm. 629

Registrarship of the Court of Bankruptcy, Leeds
Question, Mr. Ferrand; Answer, The Attorney General *May* 15, 293

Remuneration of Postmasters
Amendt. on Committee of Supply *May* 12, To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is neither just nor expedient that labour and responsibility should be imposed upon public servants, in respect of Post Office Savings Banks, without adequate remuneration" (*Mr. Cave*), 194
Question, "That the words, &c.;" after short debate, Amendt. withdrawn

Revenue in Scotland, Collection of the
Observations, Mr. Craufurd; Answer, The Chancellor of the Exchequer *May* 12, 223

Revision of the Liturgy
Question, Mr. Shaw Lefevre; Answer, Sir George Grey *June* 1, 1122

RICHMOND, Duke of
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RIDLEY, Sir M. W., *Northumberland, N.*
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Question, Lord Robert Montagu; Answer, Sir George Grey *May* 30, 1101

Roach River Fishery Bill [*Lords*] (*by Order*)
c. Read 2° after debate *June* 8, 1262, and committed

Roads and Bridges (Scotland) Bill
Question, Mr. Baxter; Answer, Lord Elcho *May* 15, 302

Roads and Bridges (Scotland) Bill
(*Lord Elcho, Sir G. Montgomery, Sir R. Anstruther*)
c. Committee*; Report *May* 25 [Bill 101]

ROBERTSON, Mr. H., *Shrewsbury*
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Bank Notes Issue, Re-Comm. *cl.* 8, 822; Preamble, 827, 828
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ROGERS, Mr. J. J., *Helston*
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Roman Catholic Oath Bill
(*Lord J. Browne, Sir C. O'Loghlen, Mr. Hennessy*)
c. Motion, "That the Bill be now read 2°" (*Mr. Monsell*) *May* 17, 429 [Bill 86]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Lefroy*), 438
After long debate, Question, "That the word 'now,' &c.;" A. 190, N. 134; M. 56
Division List, Ayes and Noes, 477
Main Question agreed to; Bill read 2° and committed
Committee—Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Monsell*) *May* 19, 611
Motion, "That the debate be now adjourned" (*Mr. Vance*); A. 44, N. 115; M. 71
Question again proposed, 617
Motion, "That this House do now adjourn" (*Mr. Banks Stanhope*); A. 36, N. 102; M. 66
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After further debate, debate adjourned
Adjourned debate on going into Committee [19th May] further adjourned *May* 23
Question again proposed; Debate [19th May] resumed, 1051; Amendt. To leave out "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Newdegate*)
Question, "That the words, &c," after long debate; A. 193, N. 126; M. 67; Main Question agreed to; Bill considered in Committee; Committee report Progress; Division List, Ayes and Noes *May* 30, 1097

Roman Catholic Oath Bill
Question, Mr. Waldegrave-Leslie; Answer, Sir George Grey; Observations thereon *May* 23, 741; Observations, Sir John Pakington; Reply, Mr. Monsell *May* 29, 1035

ROSE, Mr. Ald. W. A., *Southampton*
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Abyssinia—Imprisonment of British Subjects in, Papers moved for, 735, 1043, 1044
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St. John, The Case of Mr.
Question, Mr. Monsell; Answer, Mr. Peel *May* 25, 788

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St. Titus Church, Liverpool
Petition presented by The Earl of Derby; Observations thereon *May* 26, 860

Salmon Fishery Act (1861) Amendment Bill (*Mr. Baring, Sir George Grey*)
c. Bill read 2° and committed to a Select Committee *May* 15, 373 [Bill 117]
And, on May 19, Committee nominated as follows:—Mr. Baring, Mr. Acland, Mr. C. Bentinck, Mr. H. Fenwick, Mr. E. Fenwick, Mr. Fleming, Mr. Hibbert, Mr. Knight, Mr. Lawson, Mr. Lygon, Lord R. Montagu, Mr. Morritt, Colonel Pennant, Mr. Whalley, Mr. Percy Wyndham, Mr. McMahon, Mr. Mackie
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Scott, Lord H. J., *Selkirkshire*
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Court of Chancery (Ireland), 1269
Record of Title (Ireland), Comm. 1181
Supply—Printing and Stationery, 1144;—County Courts, 1148, 1149;—Landed Estates Court, 1150, 1151;—Constabulary (Ireland), 1151;—Department of Science and Art, 1175;—Nonconforming, &c. Ministers, 1305;—Fishery Board (Scotland), 1307;—Flax Cultivation (Ireland), 1309;—Miscellaneous Expenses, 1313

Select Committees, Reports of—Printing and Circulation of
Moved, "That in the Case of every Select Committee of this House, other than Select Committees on Private Bills, any Report presented from such Select Committee shall not merely be laid on the table of the House, but shall be printed and circulated; and Notice shall be given on the Minutes of the Day in which it may be intended to take the Report into consideration" (*Earl Stanhope*) *May* 18, 484
After short debate, Motion agreed to

Selwyn, Mr. C. J., *Cambridge University*
Courts of Justice Concentration (Site), Lords Amendts. 1185
Partnership Amendment, Comm. *add. cl.* 532
Supply—Education, 1160

Sewage Utilization Bill
(*Lord Ravensworth*)
l. Read 2ª after debate *May* 16, 374 (No. 80)
Bill referred to a Select Committee *May* 22, 628
And, on May 26, Committee nominated as follows:— E. Derby, E. Romney, V. Strathallan, V. Torrington, V. Eversley, L
cont.

Sewage Utilization Bill—cont.
Polwarth, L. Boyle, L. Redesdale, L. Portman, L. Ebury; *May* 29, E. of Essex added
Report of Select Committee * *May* 30
Committee * *June* 1; Report* *June* 2 (No. 134)

Seymour, Mr. H. D., *Poole*
Azeem Jah (Signatures to Petitions), Report, 1247
British Museum, Enlargement of the, 390, 391, 489
Cape of Good Hope—Long *v.* Bishop of Cape Town, 487
Government of India Act, 587
India—Civil Service Examinations, Papers moved for, 406
Supply—Lighthouses Abroad, 596;—Lunatic Asylum, Isle of Man, 598;—Registrars of Friendly Societies, 1137;— Printing and Stationery, 1140, 1143; — Department of Science and Art, 1173;—National Gallery, Adj. moved, 1260;—Consular Establishments Abroad, 1285, 1286, 1287, 1291, 1292

Seymour, Mr. W. D., *Southampton*
Ordnance Survey, Civil Assistants on the, 211

Shaftesbury, Earl of
Agricultural Gangs, Address moved, 174
Clerical Subscription, 3R. 1118
Metropolitan Houseless Poor, 2R. 193; Comm. 382
St. Titus Church, Liverpool, 862

Shannon River
c. Committee nominated, May 18, as follows:— Colonel French, Mr. Laird, Mr. Peel, Mr. Ormsby Gore, Captain Jervis, Lord Dunkellin, The O'Conor Don, Mr. Cox, Mr. Agar-Ellis, Mr. Dawson-Damer, Sir Edward Dering, Mr. Pollard - Urquhart, Mr. D. Fortescue, Lord Naas, and Colonel Vandeleur; May 23, Sir W. Jolliffe, Mr. Hunt, Mr. Cave, Mr. Acland, Mr. Hennessy added
Motion, "That Colonel French be one of the Members of the Select Committee," 555
Amendt. "That the debate be now adjourned" (*Mr. Crawford*); A. 34, N. 17; M. 17; Debate adjourned till Monday next
Adjourned debate, on Question [18th May], "That Colonel French be one of the Members of the Select Committee on Shannon River" resumed, 716; Question put, and agreed to *May* 22

Shannon River (*Navigation and Drainage*)
l. On Motion of The Marquess of Clanricarde, Select Committee appointed *May* 22, 628
And, on May 23, Committee nominated as follows:— D. Richmond, Ld. Steward, E. Spencer, E. Cadogan, E. Belmore, E. Grey, V. Clancarty, L. Ponsonby, L. Crofton, L. Granard, L. Somerhill, L. Stanley of Alderley, L. Lyveden; May 26, The Marquess of Lansdowne added

Sheep and Cattle Bill (*Lord Ravensworth*)
l. Committee * *May* 9 ; Report * *May* 11 (No. 58)
Read 3° * *May* 12

Shelley, Sir J. V., *Westminster*
Army—Case of Lieut.-Colonel Dawkins, 660
County Voters Registration, Comm. *add. cl.* 102
Metropolitan Workhouses, Dietary of, 299
Public House Closing Act Amendment, Comm. *add. cl.* 554
Supply—Secret Service, 1140 ;—Probate Court, 1147, 1148

Sidney, Mr. Ald. T., *Stafford*
Union Chargeability, Comm. 123 ; *cl.* 2, 500 ; Consid. 666

Slave Trade
Question, Mr. Baxter ; Answer Viscount Palmerston *May* 26, 877

Smith, General Sir J. M. F., *Chatham*
Navy Estimates—New Works, &c. 926
Piers and Harbours (Scotland), 919
Supply—Consular Establishments Abroad, 1292

Smith, Mr. Augustus, *Truro*
British Museum, Enlargement of the, 391, 488
Civil Service Estimates, 593
Mines, Comm. moved for, 73
Navy Estimates—New Works, &c. 929, 940
Supply—Public Buildings, 241 ;—Royal Parks, 244 ;—Harbours of Refuge, 595 ;—Lighthouses Abroad, 596 ;—Lunatic Asylum, Isle of Man, 597 ;—Treasury, 606 ;—Board of Trade, 610, 611 ;—Works and Public Buildings, 702, 703 ;—Office of Works, &c. 943, 945, 948 ;—National Gallery, 1271, 1275 ;—Magnetic and Meteorological Observations, 1277 ;—Bermudas, 1280 ;—Consular Establishments Abroad, 1284 ;—Ministers at Foreign Courts, 1293 ;—Special Missions, 1295 ;—Superannuation Allowances, 1296, 1297 ; Amendt. 1298
Westminster Improvement Commission, Return moved for, 209

Smith, Mr. J. B., *Stockport*
Colonies, Protection of the, 914
India—The Budget, 1119

Smoke Nuisance (Scotland) Acts Amendment Bill
(*Mr. W. Miller, Mr. Dunlop, Mr. Black*)
c. Ordered ; read 1° * *May* 10 [Bill 139]
Read 2° * *May* 17
Committee * ; Report *May* 25
Read 3° * *May* 29
l. Read 1ª * (*The Lord Privy Seal*) *May* 30 (No. 136)

Smollett, Mr. P. B., *Dumbartonshire*
India—Civil Service Examinations, Papers moved for, 407

Solicitor General, The (Sir R. P. Collier), *Plymouth*
Leeds Court of Bankruptcy, Comm. moved for, 784
Partnership Amendment, Comm. *cl.* 1, 527

Somerset, Duke of (First Lord of the Admiralty)
Edmunds, Leonard, Resignation of—Pension, Res. 37
Navy—Masters in the, 384, 387

Speaker, The (Right Hon. J. E. Denison), *Nottinghamshire, N.*
Army—Case of Lieut.-Colonel Dawkins, 1041
Attorneys, &c. Certificate Duty, Res. 572
Azeem Jah (Signatures to Petitions), Discharge of Marshall and Whitehead, 1267
Bank Notes Issue, 3R. 304
Established Church Service — Rev. A. D. Wagner, Comm. moved for, 770
Leeds Registrarship, 490
Middlesex Industrial Schools, Consid. 1265
Record of Title (Ireland), 2R. 849
Roman Catholic Oath, 2R. 433
Union Chargeability, Comm. 116, 342

Stamp Duties on Marriage Certificates
Question, Sir James Fergusson ; Answer, The Chancellor of the Exchequer *May* 15, 298

Stanhope, Earl
Clerical Subscription, Report, 1046
Divisions, Manner of taking—Standing Order, 958
Select Committees, Reports of, Res. 484

Stanhope, Mr. J. Banks, *Lincolnshire, N.*
Roman Catholic Oath, Comm. Adj. moved, 617

Staniland, Mr. M., *Boston*
Established Church Service — Rev. A. D. Wagner, Comm. moved for, 771, 773
St. George's-in-the-East, Explanation, 977

Stanley, Right Hon. Lord, *King's Lynn*
County Voters Registration, Comm. *add. cl.* 103
India—Land Tenures of Oude, 114 ;—Transport of Troops to, 114 ; — Civil Service Examinations, Papers moved for, 402
Western Africa—War at Lagos, 389

Stanley of Alderley, Lord (Postmaster General)
Alkali Act—Inspector's Report, 636
General Post Office (Additional Site), 2R. 1186
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Stanley, Hon. W. O., *Beaumaris*
Army—Case of Lieut.-Colonel Dawkins, 657 ; Address moved, 905
Azeem Jah (Signatures to Petitions), Comm. 60

STRACEY, Sir H. J., *Great Yarmouth*
Army—Case of Lieut.-Colonel Dawkins, 660

STUART, Colonel W., *Bedford*
Prisons, Comm. *cl.* 53, 1331

Sugar Duties and Drawbacks Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Peel*)
c. Resolutions [June 1] reported, and agreed to
Ordered; read 1° * *June* 2 [Bill 198]
Read 2° * *June* 8

SUPPLY

Considered in Committee *May* 12—CIVIL SERVICE ESTIMATES—Class I.—Public Works and Buildings.
Resolutions reported *May* 15
Considered in Committee *May* 19—CIVIL SERVICE ESTIMATES—Class II.—Salaries and Expenses of Public Departments
Resolutions reported *May* 22
Considered in Committee *May* 22—CIVIL SERVICE ESTIMATES—Class II.—Salaries and Expenses of Public Departments
Resolutions reported *May* 25
Considered in Committee *May* 26—NAVY ESTIMATES—CIVIL SERVICE ESTIMATES—Class II.—Salaries and Expenses of Public Departments.
Resolutions reported *May* 29
Considered in Committee *June* 1—CIVIL SERVICE ESTIMATES—Class II.—Salaries and Expenses of Public Departments
Resolution reported *June* 2
Considered in Committee *June* 2—CIVIL SERVICE ESTIMATES—Class IV.—Education, Science, and Art
Resolutions reported *June* 8
Considered in Committee *June* 8—CIVIL SERVICE ESTIMATES—Class IV.—Education, Science, and Art.—Class V.—Colonial, Consular, and other Foreign Services.—Class VI.—Superannuations and Retired Allowances, and Gratuities for Charitable and other purposes.—Class VII.—Miscellaneous, Special, and Temporary Objects
Resolutions reported *June* 12

NAVY ESTIMATE.

Considered in Committee *May* 26
(1.) £527,985, New Works, &c., Naval Establishments, 921; after long debate, Vote agreed to
Resolutions reported *May* 29

CIVIL SERVICE ESTIMATES.

[*** The following Votes are "to complete" the Sums for the several Services named :—]

CLASS I.—PUBLIC WORKS AND BUILDINGS.

Considered in Committee *May* 12
(1.) £48,836, Royal Palaces
(2.) £100,590, Public Buildings; after short debate, Vote agreed to, 241
(3.) £12,000, Furniture of Public Offices
(4.) £99,090, Royal Parks, Pleasure Gardens, &c.; after short debate, Vote agreed to, 242
(5.) £49,456, New Houses of Parliament; after short debate, Vote agreed to, 247
[*cont.*

Supply—cont.
(6.) £5,708, Embassy Houses, &c., at Paris and Madrid
(7.) £3,455, Embassy Houses, &c., Constantinople
(8.) £60,000, New Foreign Office
(9.) £9,139, Industrial Museum, Edinburgh
(10.) £17,893, Probate Court and Registries; after short debate, Vote agreed to, 253
(11.) £28,750, Public Record Repository; after short debate Vote agreed to, 253
(12.) £12,000, New Westminster Bridge; after short debate, Vote agreed to, 253
(13.) £9,500, Nelson Column; after short debate, Vote agreed to, 255
(14.) £4,500, Patent Office; after short debate, Vote agreed to, 255
(15.) £10,000, Metropolitan Fire Brigade; after short debate, Vote agreed to, 256
(16.) £20,000, Public Offices Site; after short debate, Vote agreed to, 259
(17.) £1,559, Legation House, Tangier
Resolutions reported *May* 15.

Considered in Committee *May* 19
(1.) £76,000, Harbours of Refuge; Vote agreed to, 594
(2.) £49,930, for Holyhead and Portpatrick Harbours, &c; Vote agreed to, 595
(3.) £70,677, Public Buildings in Ireland; Vote agreed to, 595
(4.) £3,000, New Record Buildings, Dublin; Vote agreed to, 595
(5.) £813, National Gallery of Ireland; Vote agreed to
(6.) £19,474, Lighthouses abroad; after short debate, Vote agreed to, 595
(7.) £4,000, Lunatic Asylum, Isle of Man; after short debate:—Question put, A. 49, N. 33; M. 16; Vote agreed to, 596
(8.) £20,000, Sheriff Court Houses, Scotland; Vote agreed to, 601
(9.) £27,000 Rates for Government Property; after short debate, Vote agreed to, 601
Resolutions reported *May* 22

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

Considered in Committee *May* 19
(10) £51,064, Houses of Parliament; after short debate, Vote agreed to, 604
(11.) £39,488, Treasury; Vote agreed to, 605
(12.) £20,188, Home Office; Vote agreed to, 606
(13.) £48,885, Foreign Office; Vote agreed to, 606
(14.) £23,658, Colonial Department; Vote agreed to
(15.) £13,842, Privy Council Office; after short debate, Vote agreed to, 607
(16.) £50,523, Board of Trade, 609
Motion, That the Chairman do report progress (*Sir Colman O'Loghlen*)
Motion, by leave, withdrawn
(17.) £1,000,000, Exchequer Bonds; Vote agreed to
Motion, That the Chairman do report Progress (*Sir Colman O'Loghlen*) A. 121, N. 44; M. 77
Resolutions reported *May* 22

Considered in Committee *May* 22
(1.) £1,938, Privy Seal
(2.) £5,874, Civil Service Commission
[*cont.*

Supply—cont.
(3.) £14,391, Paymaster General's Office
(4.) £3,048, Controller General of the Exchequer
Motion, "£24,148, Salaries and Expenses of the Office of Commissioners of Her Majesty's Works and Public Buildings"
After debate, Motion, by leave, withdrawn, 702
Motion, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Cox*)
After further debate, put, and agreed to
Resolutions reported *May* 25.

Committee *May* 26
(2.) £24,148, Office of Works and Public Buildings, 943; after debate, Vote agreed to
Resolutions reported *May* 29.

Considered in Committee *June* 1
(1.) £16,006, Public Record Office
(2.) £217,392, Poor Law Commissioners
(3.) £35,075, Mint, including Coinage
(4.) £26,826, Inspectors of Factories, Fisheries, &c.
(5.) £4,210, Exchequer and other Offices in Scotland
(6.) £4,413, Household of Lord Lieutenant, Ireland
(7.) £11,609, Chief Secretary, Ireland, Offices
(8.) £3,007, Inspection, &c. of Lunatic Asylums, Ireland
(9.) £16,861, Office of Public Works, Ireland
(10.) £27,559, Audit Office
(11.) £14,187, Copyhold, Tithe, and Inclosure Commission
(12.) £9,290, Inclosure and Drainage Acts; Imprest Expenses
(13.) £48,493, General Register Offices, England, Ireland, and Scotland
(14) £11,510, National Debt Office
(15.) £2,785, Public Works Loan Commission and West India Relief Commission; after short debate, Vote agreed to, 1136
(16.) £7,635, Lunacy Commissions; after short debate, Vote agreed to, 1136
(17.) £1,223, Superintendent of Roads, South Wales; after short debate, Vote agreed to, 1137
(18.) £1,324, Registrars of Friendly Societies; after short debate, Vote agreed to, 1137
(19.) £13,915, Charity Commission
(20.) £4,665 Local Government Act Office and Inspection of Burial Grounds
(21.) £1,350, Landed Estates Record Offices
(22.) £446, Quarantine Expenses
(23.) £24.000, Secret Service; after short debate, Vote agreed to, 1138
(24.) £265,410, Printing and Stationery; after debate, Vote agreed to, 1140
(25.) £114,535, Postage of Public Departments
Resolutions reported *June* 2

CLASS III.—LAW AND JUSTICE.

Considered in Committee *June* 1
(26.) £23,296, Law Charges, England
(27.) £128,033, Criminal Prosecutions, &c.
(28.) £183,100, Police, Counties and Boroughs, Great Britain
(29.) £2,120, Crown Office, Queen's Bench
(30.) £9,325, Admiralty Court Registry
(31.) £2,296, Late Insolvent Debtors' Court
(32.) £64,000, Probate Court; after short debate, Vote agreed to, 1147
[*cont.*

Supply—cont.
(33.) £119,701, County Courts; after short debate, Vote agreed to, 1148
(34.) £3,030, Land Registry Office
(35.) £15,993, Police Courts (Metropolis)
(36.) £115,166, Metropolitan Police
(37.) £18,002, Revising Barristers, England and Wales.
(38.) £686, Divorce Court Compensations
(39.) £16,772, Bankruptcy Court Compensations
(40.) £2,577, Lord Advocate and Solicitor General, Salaries
(41.) £13,331, Court of Session
(42.) £7,816, Court of Justiciary.
(43) £4,100, Prosecutions under the Lord Advocate
(44.) £630, Exchequer, Scotland, Legal Branch
(45.) £31,231, Sheriffs and Procurators Fiscal not paid by Salaries, and Expenses of Prosecutions in Sheriff Courts
(46.) £18,842, Procurators Fiscal, Salaries
(47.) £10,777, Sheriff Clerks
(48.) £3,000, Expenses in matters of Tithes
(49.) £13,254, Register House, Edinburgh, Salaries and Expenses of Sundry Departments
(50.) £1,295, Commissary Clerk's Office
(51.) £1,529, Accountant in Bankruptcy, Vote agreed to
(52.) £53,637, Law Charges and Criminal Prosecutions (Ireland); after short debate, Vote agreed to, 1150
(53) £3,793, Court of Chancery (Ireland)
(54.) £9,742, Courts of Queen's Bench, Common Pleas, and Exchequer (Ireland)
(55.) £4,407, Officers of the Judges on Circuit
(56.) £1,403, Manor Courts Compensations
(57.) £2,163, Registry of Judgments
(58.) £16,416, Registry of Deeds
(59.) £100, High Court of Delegates
(60.) £4,599, Court of Bankruptcy and Insolvency
(61.) £7,663, Court of Probate
(62.) £8,768, Landed Estates Court; after short debate, Vote agreed to, 1150
(63.) £5,500, Process Servers, Civil Bill Courts.
(64.) £420, Revising Barristers, Dublin
(65.) £40,500, Dublin Metropolitan Police and Police Justices
(66.) £525,680, Constabulary of Ireland, Vote agreed to, 1151
(67.) £1,714, Four Courts Marshalsea Prison
(68.) £13,999, Inspection and General Superintendence of Prisons, Vote agreed to, 1152
(69.) £290,887, Prisons and Convict Establishments at Home
(70.) £198,905, Maintenance of Prisoners in County Gaols, &c., and Removal of Convicts
(71.) £10,258, Transportation of Convicts
(72.) £159,059, Convict Establishments in the Colonies

Resolutions reported *June* 2

CLASS IV.—EDUCATION, SCIENCE, AND ART.

Considered in Committee *June* 1
(73.) £518,078, Public Education (Great Britain); after long debate, Vote agreed to, 1153
(74.) £116,841, General Management of the Department of Science and Art, and of the Establishments connected therewith, 1163
[*cont.*

Supply—cont.
After long debate, Motion, "That the Item of £36,500, for Schools of Science and Art, be reduced by the amount of £1,000 (Salaries of Masters)"—(*Mr. Edmund Potter*); A. 16, N. 80; M. 64
Original Question again proposed, 1179
Motion, "That the Item of £10,000, for the Purchase of Specimens, Ancient and Modern, be omitted from the proposed Vote" (*Mr. Dillwyn*); A. 24, N 81; M. 57
Original Question put, and agreed to
Resolutions reported *June* 2

Considered in Committee *June* 2
(1.) £235,583, Public Education, Ireland; after long debate, Vote agreed to, 1248
(2.) £730, Commissioners of Education (Office Expenses), Ireland
(3.) £6,773, University of London
(4.) £14,485, Universities, &c. in Scotland
(5.) £2,372, Queen's University in Ireland
(6.) £3,150, Queen's Colleges, Ireland
(7.) £700, Royal Irish Academy
(8.) £3,400, National Gallery of Ireland
(9.) £1,500, Belfast Theological Professors, &c.
Resolutions reported *June* 8

Considered in Committee *June* 8
(1.) £13,336, Expenses of the National Gallery, including the purchase of Pictures; after long debate, Question put, and agreed to, 1271
(2.) £1,650, British Historical Portrait Gallery; after short debate, Vote agreed to, 1276
(3.) £4,059, Magnetic and Meteorological Observations; after short debate, Vote agreed to 1276
(4.) £5,000, Universal Exhibition at Paris
(5.) £500, Royal Geographical Society
(6.) £1,000, Royal Society
(7.) £500, Royal Academy of Music; after short debate, Vote agreed to 1280
Resolutions reported *June* 12

CLASS V.—COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES.

Considered in Committee *June* 8
(8.) £4,200, Bermudas; after short debate, Vote agreed to, 1281
(9.) £2,813, Clergy, North America
(10.) £1,000, Indian Department, Canada
(11.) £23,278, Governors and others, West Indies, &c.
(12.) £6,200, Justices, West Indies
(13.) £6,730, Western Coast of Africa
(14.) £2,924, St. Helena
(15.) £700, Orange River Territory
(16.) £1,104, Heligoland
(17.) £3,488, Falkland Islands
(18.) £2,641, Labuan; after short debate, Vote agreed to, 1281
(19.) £300, Pitcairn's Islanders
(20.) £10,531, Emigration
(21.) £1,657, Zambesi Expedition
(22.) £3,000, Treasury Chest
(23.) £35,000, Captured Negroes, Bounties on Slaves, &c.; after short debate, Vote agreed to, 1281
(24.) £7,650, Commissions for Suppression of Slave Trade

[cont.

Supply—cont.
(25.) £91,018, Consular Establishments Abroad, 1282
Motion, "That the item of £750, for the Salary of Her Majesty's Consul at St. Petersburg, be omitted from the proposed Vote (*Mr. Clay*); after short debate, Question put: A. 20, N. 50; M. 30; after further debate, Original Question put, and agreed to
(26.) £102,972, Consular Establishments, China, Japan, and Siam; after short debate, Vote agreed to, 1292
(27.) £32,400, Ministers at Foreign Courts, Extraordinary Expenses; after short debate, Vote agreed to, 1293
(28.) £19,000, Special Missions, Outfits, &c.; after short debate, Vote agreed to, 1294
(29.) £4,500, Third Secretaries of Embassies
Resolutions reported *June* 12

CLASS VI.—SUPERANNUATIONS AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES.

Considered in Committee *June* 8
(30.) £119,382, Superannuation Allowances and Compensations, 1296
Motion, "That the Item of £400, for Retiring Allowance to Martin T. Hood, late Consul at Buenos Ayres, be omitted from the proposed Vote" (*Mr. Augustus Smith*); after short debate, A. 13, N. 28; M. 15.
Original Question put, and agreed to.
(31.) £661, for Toulonese and Corsican Emigrants, &c., and American Royalists
(32.) £325, for the Refuge for the Destitute
(33.) £1,789, Polish Refugees and Distressed Spaniards
(34.) £54,200, for Merchant Seamen's Fund Pensions
(35.) £21,400, Relief of Distressed British Seamen
(36.) £2,780, Miscellaneous Charges, formerly on Civil List
(37.) £2,272, for Public Infirmaries, Ireland
(38.) £1,600, Westmoreland Lock Hospital
(39.) £700, for the Rotunda Lying-in Hospital
(40.) £200, for the Coombe Lying-in Hospital
(41.) £5,600, House of Industry Hospitals
(42.) £1,500, Cork Street Fever Hospital
(43.) £600, for the Meath Hospital
(44.) £100, for St. Mark's Opthalmic Hospital
(45.) £300, Dr. Steevens's Hospital
(46.) £245, for the Board of Superintendence of Dublin Hospitals
(47.) £7,644, Concordatum Fund and other Charities and Allowances, Ireland
(48.) £25,809, Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland, 1299
Motion, "That a sum, not exceeding £25,509, &c." (*Sir Francis Crossley*); after debate, Question put; A. 14, N. 51; M. 37
Original Question put, and agreed to
Resolutions reported *June* 12

CLASS VII.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS.

Considered in Committee *June* 8
(49.) £3,750, for Ecclesiastical Commissioners
(50.) £22,702, Temporary Commissions

Supply—cont.
(51.) £25,003, Patent Law Expenses
(52.) £11,427, Fishery Board, Scotland; after short debate, Vote agreed to, 1305
(53.) £2,000, for Trustees of Manufacturers, Scotland
(54.) £39,532, Local Dues on Shipping under Treaties of Reciprocity
(55.) £1,900, Inspectors of Corn Returns
(56.) £500, for Boundary Survey, Ireland
(57.) £500, for Brehon Laws, Ireland; after short debate, Vote agreed to, 1308
(58.) £5,000, Flax Cultivation in Ireland; after short debate, Vote agreed to, 1309
(59.) £780, Malta and Alexandria Telegraph, and Subsidies to Telegraph Companies; after short debate, agreed to, 1311
(60.) £10,000, Agricultural Statistics, Great Britain
(61.) £14,674, Miscellaneous Expenses from Civil Contingencies; after short debate, Vote agreed to, 1312
Resolutions reported *June* 12

SYKES, Colonel W. H., *Aberdeen City*
China—Dismissal of Prince Kung, 1209
Drainage and Improvement of Land (Scotland), 1130
Roach River Fishery, 2R. 1263
Supply—Controller of the Exchequer, 702;—Woods, Forests, &c. 704;—Lunacy Commissions, 1137; — Secret Service, 1139; — Consular Establishments, China, Japan, &c. 1292;—Ministers at Foreign Courts, 1293;—Special Missions, 1296; — Superannuation Allowances, 1298; — Post Office Department, 1359;—Post Office Packet Service, 1364
Volunteer Rifles, Promotion in, 47
Writs Registration (Scotland), Comm. 1196

TAUNTON, Lord
Edmunds, Leonard, Resignation of—Pension, Res. 44

Taxation of Ireland
Report of Select Committee *June* 1
[*Parl. Paper* No. 330.]

Theatres, &c. Bill [Bill 64]
(*Mr. Locke, Mr. Ayrton, Mr. Denman*)
c. Second Reading deferred *May* 10, 104

"The Times" and the Budget
Question, Mr. Darby Griffith; Answer, Viscount Palmerston *May* 15, 299

THOMPSON, Mr. H. S., *Whitby*
Railway Bills (Group 8), Res. 874, 875
Railways (Guards and Passengers Communication), Res. 63
Union Chargeability, Comm. Amendt. 131, 370

TITE, Mr. W., *Bath*
Westminster Improvement Commission, Return moved for, 208

TOLLEMACHE, Mr. J., *Cheshire, S.*
Salt, Importation of, into France, 292

Tories, Robbers, and Rapparees (Ireland) Bill (*The Earl of Donoughmore*)
l. Read 1ª* *May* 9 (No. 96)
Read 2ª after short debate *May* 22, 630
Committee*; Report *May* 23
Read 3ª* *May* 26
Royal Assent *June* 2 [28 *Vict.* c. 33]

TORRENS, Mr. R., *Carrickfergus*
Indian Civil Service Examinations, 295; Papers moved for, 413
Navy—The "Bellerophon," 789
Supply—Constabulary (Ireland), 1152

TREHERNE, Mr. M., *Coventry*
Roman Catholic Oath, Comm. 1068

Trespass (Scotland) Bill
(*Mr. Finlay, Mr. Dunlop, Mr. Cumming Bruce*)
c. Read 2° * *June* 1 [Bill 98]
Committee *; Report *June* 2
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Union Chargeability Bill [Bill 31]
(*Mr. C. P. Villiers, Sir George Grey*)
Order for Committee read
c. Moved, "That it be an Instruction to the Committee, with a view to rendering the working of the system of Union Chargeability more just and equal, that they have power to facilitate in certain cases the alteration of the limits of existing Unions" (*Mr. Bentinck*) *May* 11; after long debate, A. 118, N. 193; M. 75, 116
Question, "That Mr. Speaker do now leave the Chair" (*Mr. C. P. Villiers*), 131
Amendt, To leave out from "That the" and add "The Bill be committed to a Select Committee" (*Mr. Thompson*); Question, "That the words, &c."

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Union Chargeability Bill—cont.
After long debate, Question, "That the Debate be now adjourned" (*Sir Rainald Knightley*); after debate, A. 80, N. 174; M. 94
Question again proposed, "That the words, &c."
Amendt. "That this House do now adjourn" (*Mr. Lygon*) put, and negatived; Question again proposed, "That the words, &c.;" Debate adjourned
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l. Moved, "That the Bill be now read 2^{a}" *May* 9, 3 (No. 52)
Amendt. to leave out ("now") and insert ("this Day Six Months") (*The Earl of Donoughmore*)
Question, That ("now,") &c.; Cont. 73, Not-Cont. 46; M. 27; List of Cont. and Not-Cont., 5
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